The Nation.

NEW YORK, THURSDAY, JANUARY 15, 1891.

The Week.

MR. BLAINE'S diplomatic discussions have always been full of surprises. They are nothing if not dramatic. The discussion he has been carrying on with Lord Salisbury during the past year has been a mixed question of law and fact. The question of fact has been whether the United States cruisers had seized British vessels in the open sea outside the three-mile limit, for catching seals; the question of law has been whether the United States cruisers had the right to do this for the protection of the Bering Sea or any other seals, or for any purpose, except the suppression of piracy. There has been a prodigious cloud of words raised about the matter, but the above were the essential points. There was no question of national honor or policy involved; no dispute about territory, or about belligerent or neutral rights. The controversy has arisen in a time of profound peace. In the hands of Seward or Marcy the public would probably hardly have heard of it all. Either of these statesmen would, in fact, have been very likely to leave the matter wholly to the decision of the Admiralty courts, as the British Government left the decision of the question whether slave-trading was piracy. It is in part for the settlement of such questions that courts of admiralty exist. When a Canadian or British sealer was captured, he had his remedy before the United States tribunals. All that either his Government or ours needed to to do was to agree on a suspension of sealing operations until the decision of the court of last resort had been reached. Instead of this, Mr. Blaine has blown the question up, as his wont is, into a huge newspaper controversy, full of digressions and side issues, and *tu quoques*, and tit-for-tats; and irrelevancies of every description, illustrations that did not illustrate, and precedents that furnished no light, and, after writing forty or fifty newspaper columns to avoid arbitrating, has finally agreed to some sort of arbitration.

In the meantime, a British subject has been slowly seeking his remedy in our courts for the capture of his sealing-ship by an American cruiser on the high seas, and has reached the Supreme Court on appeal. This appeal, when decided, would unquestionably have closed the diplomatic mouths of both Blaine and Salisbury. If either of them had taken any further steps, they would have had to be belligerent steps. If the Supreme Court were to award damages to the appellant in the Sayward case, it would leave Blaine without a leg to stand on. If, on the other hand, it decided in his favor, it would put Salisbury in the position, which he could not hold for a moment, of disputing the judgment of the highest Court of Admiralty in the world—a position which he would be only too thankful to keep out of. In short, it would settle the Bering Sea controversy out of sight and out of mind, and would leave the field clear for some joint convention for the protection of that interesting animal, the seal. In truth, the fact that this suit was pending made the diplomatic controversy somewhat ridiculous, because entirely superfluous.

The Canadians have at the last moment changed their policy as litigants by abandoning the proceedings in the suit for restitution and damages, and asking the Supreme Court for a writ of prohibition annulling the proceedings in which the vessel was condemned in the United States District Courts. Two petitions for this have been filed: one by the owner of the vessel, the other by the Canadian Attorney-General, who alleges the approval of his proceeding by the Imperial Government. The contention of Mr. Blaine's friends now is that the intervention of this last-named official is an impertinence, if not a foul insult, inasmuch as it is an official attempt to carry into ordinary litigation a question already under diplomatic discussion. We must confess that while it is perhaps the greatest compliment ever paid by foreigners to a court of justice, and really ought to flatter the national pride, it is ill judged and unfortunate in that, while it will not make the judgment of the Court when it comes any more decisive, it will furnish Mr. Blaine with a means of at least temporary escape from a position which is both embarrassing and humiliating. It gives him an opening for a new controversy, involving neither law nor fact, but raising numerous points of honor, courtesy, etiquette, and the like, in which his journalistic pen will be able to rove about with all the freedom of the wild ass on the plains of Kittimengo.

It must have been the Washington wiseacre who concocted the theory that it is "*contra bonos mores*" to catch seal in the high seas, who instructed our estimable contemporary, the *Tribune*, that a British act of Parliament could empower the Court of Admiralty to violate the law of nations by condemning vessels captured within eight leagues of the shore, in time of peace, for the offence of "hovering" round St. Helena during Napoleon's imprisonment on that island. If his dupe had read the correspondence in the *Alabama* case, he would know what flinders that famous discussion made of the notion that municipal can override international law, even if he had never read Lord Stowell's decision on the famous case of the French ship *St. Louis*, a slave-trader which had resisted capture:

> "Neither this British act of Parliament, nor any commission founded on it, can affect any right or interest of foreigners, unless they are founded upon principles and impose regulations that are consistent with the law of nations. That is the only law which Great Britain can apply to them; and the generality of any terms employed in an act of Parliament must be narrowed in construction by a religious adherence thereto." (2 Dodson Admiralty Reports, p. 236.)

He further added, referring to the declaration of the Congress of Vienna denouncing the slave trade as repugnant to humanity, "that great as the reverence due to such authorities must be, they cannot be admitted to have the force of overruling the established course of the general law of nations." Lord Stowell confirmed this decision on appeal in the case of the *San Juan Nepomuceno*, a Spanish ship condemned by the Admiralty Court at Sierra Leone, in which the owner sued the officer commanding the British cruiser for damages. (1 Haggard's Ad. Reports, p. 267.)

That any foreign ship captured for "hovering" round St. Helena would have been discharged by the British Court of Admiralty under this ruling, is just as certain as anything in law ever is. Lord Stowell's judgment in the *St. Louis* case was delivered in 1817, when Napoleon was on the island. The British Parliament could not make slave-trading piracy, and *à fortiori* could not make "hovering" within eight leagues of the shore a punishable offence when committed by a foreign vessel, any more than Mr. Blaine, or even Congress, can make it an offence against good morals to catch seals in the open sea, or the Emperor of Russia could make it unlawful to come within 100 miles of his Bering Sea shores. An imperial ukase has just as much force in the forum of international law as a British act—that is, none at all. An honest Admiralty Court does not administer municipal law as against foreigners. It administers, as Lord Stowell showed, the law of nations, which is made up not of statutes, but of the long-established consensus of the civilized world.

Some of the younger officers of the navy are disposed to rejoice over the ruling of the Secretary of the Navy in Commander Reiter's case, which they think will give them a chance of imitating Capt. Ingraham, when he rescued Koszta from the Austrians in the harbor of Smyrna in 1853. But our young officers must, however great their professional enthusiasm or desire for active operations, remember the legal peculiarities of the Koszta case, and its great legal differences from the Barrundia case. There is no pretence that Barrundia was an American citizen. In Koszta's case there was the question whether his declaration of intention to become an American citizen did not entitle him to American protection on foreign soil, and there was the undoubted fact that his Turkish passport recognized his American citizenship. Secretary Marcy held that Koszta's having his domicile in the United States gave him a claim to American protection abroad. Bar-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

rundia had no domicile in, or claim of any description on, the United States. If this theory was correct, Koszta, when he went to Turkey, remained there under the protection of the United States and under the jurisdiction of the United States consul at Smyrna, according to the laws of Turkey as well as the custom of European nations, like all American citizens. Moreover, the Turkish Pasha had formally refused an Austrian demand for his surrender.

The St. Louis *Republic*, discussing the clause of the Senate Finance Bill which provides for an issue of $200,000,000 of 2 per cent. bonds to take the place of an equal amount of 4 and 4½ per cents, assumes that the new 2s are to form "a permanent debt" as a basis of national banking, *i. e.*, that they are not to be redeemable at any time. The bill expressly says that they are to be "redeemable at the pleasure of the United States on and after July 1, 1900"—that is, seven years earlier than the existing 4s. Nobody has proposed to create a permanent debt for banking convenience. While the debt exists as a matter of necessity, it is immaterial to the taxpayers who draws the interest on it, and for so long it may be usefully employed as a basis for bank-note issues. For the perpetuation of the national-banking system, other measures will need to be devised. The public mind is not ripe for them now, but it will become so before the national debt is paid off, whether free coinage of silver is established meanwhile or not. The metallic basis of the currency has nothing to do with the question one way or the other, although at the present time the two things are mixed up politically in a confusing sort of way.

A month ago it would have seemed impossible that the reëlection of Senator Cameron should have afforded any cause for rejoicing on the part of independent observers of Pennsylvania politics. He is a man who never ought to have been made Senator, and never would have been if he had not been the son of his father. His record has been almost barren, and the spectacle of a great State reëlecting him term after term is humiliating. But the attempt to set him aside on the ground of his well-known opposition to the Force Bill, which was started by that absurd organ of the Republican Bourbons, the Philadelphia *Press*, has aroused a sympathy which he could not otherwise have secured. It would have been most unfortunate if this conspicuous exhibition of good sense and patriotism had led to Mr. Cameron's rejection by his party; and his renomination by the Republican caucus after such a fight against him is cause for satisfaction.

"If we are going to have a Force Bill, let's have a bill with some force in it." Such appears to be the motto of Senator Quay, who on Monday introduced his substitute for the Lodge-Hoar measure, the salient feature being a section which provides that "when it shall appear to the satisfaction of the President of the United States that in any locality the provisions of this law cannot otherwise be executed, it shall be his duty, and he is hereby empowered, to suspend there the writ of habeas corpus and to employ the armed forces of the United States, naval and military, for its enforcement and for the protection of the officers whose duties are herein provided for." It is to be said for this proposition that it is at least logical. There are two ways of dealing with "the negro question" so called. One is to do nothing, and this is the course recommended by all friends of the negro who have no political ends to serve, like the men who control the institutions for the education of colored youth in the South. The other is, to do everything—that is, to have the Federal Government interfere with the "strong arm" in earnest. One policy or the other ought to be adopted, and the Quay plan is the one to pursue if force is to be used at all.

The importance of the late Pennsylvania election to Quay and Delamater was more fully revealed on Friday by the arrest of Delamater and all the members of his firm, on a charge of embezzlement, preferred by the County Commissioners, based on his having received the county money on deposit after he knew that he was insolvent. If he had been elected Governor, not only would the hellish designs of the Cobden Club and the Mugwumps against the tariff have been foiled, but Quay would have easily "tided over" the financial difficulty. Quay knew how to do it, because he had done it already. The starting of this criminal pursuit of Delamater raises anew the question how it was that in a great commercial State like Pennsylvania no one was ever found to prosecute Quay for more serious offences than Delamater's. Delamater, being in the banking-business, received public money on deposit which he had much reason to believe he would not be able to pay back when called for. But it was easy for a man in his position to deceive himself about this, and to persuade himself that something would turn up in his business before the money was called for, to help him out of the difficulty. But Quay, not being in the banking or any other business, went boldly to the Treasury, and took what he wanted, just like a bank-robber who knocks down the cashier, or throws pepper in his eyes when left alone in the bank at dinner-time. This has been known for years by scores of reputable business men in Philadelphia, and yet no attempt has been made to bring the offender to justice. Not only this, but the State which Quay robbed has gone on heaping honors on him; and now that he has been fully found out, he retains his Senatorship and his Chairmanship of the National Republican Committee, while poor Delamater, his confederate and subordinate, goes to jail. And yet his party claims, as Mr. Henry C. Lea remarks, "the major portion of the intellect and culture of the land." If it could only now work in among the "intellect and culture" a little common honesty, what a party it would be!

The Supreme Court of New Hampshire having declined to express any opinion as to the way the roll of the new House of Representatives ought to be made up, on the ground that it had no jurisdiction in the matter, it was of course inevitable that the Republicans, who had the Clerk of the last House holding over and in charge of the roll, should secure a decision of all the disputed points in their favor. These points are so involved that only the verdict of a judicial tribunal could carry conviction, and it is therefore quite natural that the party which loses should accuse the victors of being "thieves." In point of fact, the Republicans appear to have quite as good a moral claim to the seats in dispute as the Democrats, especially to those which are based upon the increased population shown by the last census. Consequently, there is no call for indignation on the part of outsiders that the Republicans secure the seats and the State offices and the United States Senatorship which are involved.

Looked at from the non-partisan point of view, the present muddle in Connecticut has two very grave aspects. One of them is the set of bad precedents which has been created already, notably the resolution of one branch of the Legislature implying its own separate right to look into the returns and appointing a committee for that purpose. That any such power resided in one branch of the State Legislature has never been even hinted at heretofore, and the opportunity which this precedent affords for either house of a divided Legislature hereafter to muddle elections for party ends, seems as unlimited as it is obvious. The other and quite as serious aspect of the broil is, that, in an immediate legislative sense, it impedes, if it does not actually check, the reforms which the deadlock itself, as well as antecedent events, has pointed out as imperatively necessary. There are, for instance, the amendment of the lax State ballot law, or, better, the adoption of the Australian substitute; the adoption of a plan vesting definitely in the town moderators or the General Assembly or the courts, as the case may be, the final determination of the vote for State officers; and, lastly, the calling of a Constitutional Convention to abolish what must ever be a prolific source of disputes, the present system of majority Governorships. Any one of these reforms is of importance enough to dwarf the question who is or who is not Governor for the coming two years; yet the deadlock, with its partisan frenzies, seems almost certain to stand in the way of their consideration. The only encouraging feature of the case is, that the people of the State at large have at last before their eyes a concrete example of the defects of their antiquated Constitution, and will more vehemently demand a change.

Gov. Russell of Massachusetts devotes a large portion of his inaugural address to the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

subject of lobby abuses in the Legislature, thus keeping one of the pledges of his campaign to do his utmost, if elected, to abolish those abuses. He admits frankly that it is easier to state the evil than to suggest the remedy, and comes to the conclusion that the most effective weapon is publicity, saying:

"Prevention by publicity is possible, and I would suggest for your consideration whether a remedy may not be found in this direction, by making it easier than it now is publicly to investigate the methods used and money spent on pending legislation, and also by giving power to some proper officer, before a measure finally becomes law, to demand under oath a full and detailed statement as to these matters. The fear of publicity, and through it of defeat, may stop improper practices by making them worse than useless."

The efforts of the Massachusetts Governor and his friends to break down the lobby evil will be watched with great interest by reformers in all other States. There can be no doubt that he has made the first formal move in a reform in which all defenders of honest government must take a hand. Publicity is the chief weapon with which they must fight, and it is a very deadly one if it can be brought into full play under force of such legal requirements as Gov. Russell suggests. Once the beginning is made, and publicity becomes the fashion, the lobby will scatter like chaff. It would not remain in existence an hour if all individuals and corporations that have been in the habit of yielding to its demands and availing themselves of its agency, were to band themselves together under pledge to make public every demand made upon them in future. They are really responsible for the lobby, for they call it into being, and it is their use of it which continues its existence.

The strong recommendations of the Australian ballot system which the Governors of Maine and New Hampshire put into their inaugural addresses last week, seem to make it certain that the Legislatures of both those States will enact ballot-reform laws this winter. If they do, every New England State will have such a law, for all except the two named have reform laws of some kind on their statute-books. The Connecticut law is the poorest of them, and is not the Australian system in any proper sense. The Massachusetts, Rhode Island, and Vermont laws are practically alike, and are excellent models for other States to go upon in drafting similar statutes. The recommendation of the Maine Governor comes as somewhat of a surprise, for the Republican Machine in that State, led by the vociferous Boutelle of the Bangor *Whig*, has been opposing the reform, and insisting that it was a "degrading foreign invention, designed originally by Great Britain for use among the convicts of its penal colony in Australia." The Governor seems to have discovered that popular sentiment in favor of the reform was more to be feared than the uproar of Boutelle's displeasure, and has ventured to brave the latter in preference to the former.

Although the Massachusetts Ballot Act does not apply to town elections for local officers, several towns in the State are availing themselves of the permission of the statute which enables them to hold such elections under the provisions of the act. The change involves some expense, but the towns which are making it are convinced that the gain which they reap from an entirely secret ballot is ample compensation. It is argued that social intimidation is often a very powerful and very pernicious influence in local elections where the voters all know one another, and where the vote is so open that every man can see how his neighbor votes, and that the Australian method removes this influence entirely, and makes it impossible for any candidate to exert undue influence of any kind. This possibly has had some effect in impelling the change, but the chief cause of dissatisfaction with the old system is undoubtedly the demonstration which the new system has made in successive State elections of its superiority.

The "summer boarding interests of the State" are now considered important enough to justify consideration in the messages of New England Governors. Gov. Tuttle of New Hampshire calls attention to the work of the Commissioner of Immigration, by which "more than 350 abandoned farms have been repopulated, mainly by Americans, and the business of summer entertainment largely increased." The Commissioner asks an appropriation by the Legislature to prepare and issue a publication descriptive and illustrative of the attractions of New Hampshire, in such form that copies of it may have a wide circulation, and says: "From the best statistics at our command, there have been left in the State by summer tourists during the year more than $5,000,000. A large portion of this has been left with the farmers." Gov. Burleigh of Maine refers to the same subject, and says: "Our healthful climate, and the rugged beauties of our long seacoast, are winning wide reputation, and a constantly increasing tide of summer travel is a growing source of revenue to our people." The fact is, that the Yankee has been rather slow in waking up to the importance of this interest, and he does not yet fully realize how many millions there are in it.

What kind of ideas are prevailing among the cranks of the Farmers' Alliance in Kansas may be gathered from an affidavit filed in one of the courts of that State to procure a continuance of a foreclosure suit. The defendant put in a statement under his own oath of what the Secretary of the National Bankers' Association, Mr. Wm. B. Greene, would swear to if he (Greene) could be found and compelled to testify; but up to the present time, he said, Greene was so fugacious, so *non est inventus*, that his testimony could not be obtained. Greene would have testified (so this affiant declared) that the National Bankers' Association busies itself with alternate contractions and expansions of the currency in order to depress and advance the prices of property so that they may buy all sorts of commodities at low prices and sell them again at high prices. The months in which prices are thus systematically depressed are those of autumn and early winter, while the spring months are selected for the other turn. The reason why the autumn is chosen for contraction is, that then the farmers have to pay their taxes and meet their store bills. As they must have money at such times, the bankers put the screws on them. After making this confession the supposititious Mr. Greene is asked whether the intended effect of the contraction and expansion is actually produced, and he replies that although it is hard to state with certainty, yet he thinks it is produced; at all events the Bankers' Association is satisfied with the results. Being asked why these objects are not plainly stated in the constitution and by-laws of the Association, he replies that they are all included in the phrase which says that the object of the Association is to secure uniformity of action. Whether the court granted a continuance we are not advised, but we should not be surprised if suits were determined on these grounds after the Alliance fills up the bench in Kansas with men who have never studied law or anything else.

Any one who appears on the scene in a political crisis as the man who "told you so," needs to have a very clean past in order to avoid being crushed by the deadly parallel. Mr. Joseph Chamberlain, M. P., has not been at all careful on this point. The Parnell affair is, of course, a perfect godsend to him as a justification for his desertion of his party in 1886, but he is not in a position to make a noise over it. In a speech in Birmingham the other day he crowed in the following amusing fashion:

"We have saved Ireland from disgrace and misery greater than anything to which heretofore in her eventful history she has ever been subjected—the disgrace and misery of being governed by men like Mr. Parnell, who, Mr. Gladstone now tells you, the Gladstonian party are resolved shall never be the constitutional ruler of Ireland."

The words were hardly out of his lips when the parallel man came down on him with the following from an article of his in the *Fortnightly Review* of January, 1886:

"The conclusion, then, at which we arrive is, that the consideration of the Irish land question should be taken up anew, and this time in frank concert with the Nationalist party. Mr. Parnell himself should be challenged in the interests of his constituents to take up the burden of office, and to coöperate with English statesmen in the solution of a problem which lies at the root of Irish misery and discontent. If the leader of the Irish party shrinks from this responsibility, as his enemies proclaim that he will, the offer should be made in turn to other chiefs of the National party, some of whom, and notably Mr. Healy, have shown a remarkable constructive capacity and resource.'

He deserted the Liberals and took his new view of the Irish Nationalists in the following summer—that is, within one year of the utterance of the old one. The right to change one's opinion frequently is one of every man's natural rights, but whoever does so cannot hope to have confidence in his wisdom and honesty remain absolutely unimpaired, unless the intervals between the changes are of a decent length.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE BARRUNDIA CASE.

COMMANDER REITER, whom Secretary Tracy has disposed of so summarily, has, we are glad to learn, demanded a court of inquiry, and we do not see how the Secretary can, with any appearance of decency, refuse it. If Commander Reiter has committed an offence so serious as to merit dismissal from his ship and severe public denunciation at the hands of his superior, he ought to be tried by court-martial. Dismissal from an officer's command in the navy, accompanied by a public reprimand, is one of the severest penalties a court-martial can inflict. It not only blights an officer's professional career, but it leaves a permanent stigma on his name. It has been inflicted on Commander Reiter by the mere *ipse dixit* of the Secretary of the Navy, without trial before any tribunal known to the law.

This is not the worst of the affair, however. The letter appears to have been communicated in whole or in part to the newspapers some days before Commander Reiter received it. This is of itself strong confirmation of the suspicion that the letter had its origin in bunkum. The internal evidence also is very strong. The style is by no means that of a lawyer of mature age like Gen. Tracy. Lawyers are apt to write with caution, and measure, and close adherence to facts, as becomes men who follow a calling in which all blunders are promptly punished either by the courts or by the adversary. The letter addressed to Commander Reiter was, on the other hand, marked by that windy exaggeration and violence which is known to the general public, we are sorry to say, as "newspaper abuse." We were therefore not surprised to learn from the *Tribune* that it had been composed, if not by Mr. Blaine, under his supervision. Our own belief is, that it was in the main his. The style is unmistakable, being that of the *Kennebec Journal*, the organ of opinion in which Mr. Blaine began his career as a journalist. Taking everything into account, we fear there is little doubt that Commander Reiter has been selected as a cheap sacrifice to the goddess Jingo. He has been offered up as an illustration of the watchful care which the Administration takes of the honor of the flag in foreign ports, and doctrines have been laid down for his destruction which Secretary Tracy at least must know would not bear five minutes' examination at the hands of a first-class Power. He has been found guilty of not having gone out to sea to warn an American passenger ship that she must not bring a political refugee into a friendly port, the refugee having taken his passage with the full knowledge that the vessel would touch at that port; and then for not having overruled the police of the port and hindered the execution of their warrant in a place undeniably subject to their jurisdiction. It may be desirable to impose a duty of this sort on the commanders of our cruisers in South American waters, but it would be a duty full of risks, the execution of which no first-class Power would permit to foreign men-of-war; we ourselves would be the very last to do so. It is a duty, therefore, which should only be prescribed by special instructions carefully drawn, and fully defining the limits of the officer's action.

We say unhesitatingly that there exists now no authority in international law for the service which Secretary Tracy exacts of Commander Reiter; that any attempt to render it in an English, or French, or German port would lead to serious international complications, and that it is monstrous to punish an officer for not rendering it in a Guatemalan port out of his own head. The whole transaction is marked by a recklessness, as well as injustice, which cannot be accounted for in any other way than by treating the letter as an article strictly intended for domestic consumption, and originating in the combustible room of the State Department. If this be indeed so, it will surprise every intelligent man who knows him, in this part of the country at least, that Secretary Tracy should have lent himself to anything so discreditable.

If Commander Reiter, in failing to oust the Guatemalan police on board the *Acapulco*, committed an offence deserving the severe punishment which has been inflicted on him, the Guatemalan police, in executing the warrant, committed an offence against the United States which demands full and prompt atonement. There is no getting away from this conclusion. If Commander Reiter has been rightly condemned, something was done against our peace and dignity in the harbor of San José on August 28, 1890, for which the Guatemalan Government is responsible under the law of nations, and for which Mr. Blaine is bound to seek satisfaction. If he does not ask for it, he will leave Secretary Tracy in a position which an honest gentleman, to say nothing of an upright public officer, ought to find very uncomfortable. It will show beyond question that he has, for electioneering purposes, done a very gross injury to the character and property of a fellow-citizen, for which the ordinary courts of law offer no redress, and of which any respectable man ought to feel thoroughly ashamed. He ought, therefore, for his own sake, to demand of his colleague of the State Department the prompt statement of our grievance to the Guatemalan Government in one of those loud-resounding state papers for which our Secretary of State is now famous. We shall then get to the bottom of the affair.

THE NICARAGUA CANAL QUESTION.

THE report of the Senate Committee on Foreign Relations in favor of a Government guarantee of $100,000,000 to the Nicaragua Canal Company will, we think, take the country by surprise. There has been no previous discussion of the subject in Congress, in the press, or on the stump. In fact, the country is scarcely aware of the existence of a Nicaragua Canal Company, although a vague recollection that such a company was incorporated by the last Congress lingers in the public mind. Those who remember this fact will remember, also, that there was coupled with it a promise that no pecuniary liability should be incurred by the United States by reason of the granting of the charter. From that simple act to the guarantee of $100,000,000 is a tremendous leap, and one without preliminaries or precedent. Although there is much to be said in favor of the project, and although a certain moral weight is given to it by the fact that the report is unanimous, yet it is a perfectly valid objection against its passage by Congress at this time that the country is not prepared for it. A matter of such magnitude ought to be well considered. All the pros and cons ought to be taken into the account. Time should be allowed for the people to consider both the policy of subventions in general and the merits of this one in particular. There should be no such thing as a snap judgment in the case. While holding this view as fundamental in a representative government, we are not taking ground against the measure *per se*, for we have at present no decided opinion about it. We insist merely that the Government shall not take a leap in the dark; that it shall not establish a bad precedent, and perhaps involve itself in foreign complications unnecessarily, and lose its money to boot.

The first thought that will occur to most minds is, that the subvention to the Union and Central Pacific Railroads has turned out unfortunately to the Government, unfortunately to the companies, and unfortunately to public morals. It has been unfortunate to the Government in that it has expended a great deal of money that there is no likelihood of its getting back. It has been unfortunate to the companies since they built the roads for the subsidy rather than for the railroad business, and in this way involved themselves in troubles which are now extremely embarrassing to them. It has been unfortunate to the public morals because it produced the Crédit-Mobilier and other scandals, and established in California an *imperium in imperio* which exists in full force to the present day. And it is rather humiliating to acknowledge, as we must, that the subvention was wholly unnecessary, because the road would have been built within a few years without any Government aid, as several others have been built since. Some people tell us that the first Pacific railway "saved California to the Union," as though California had been in some danger of going out of the Union. That is not true, but if it were so, the fact has no bearing on the Nicaragua Canal. California is in no danger now of going out of the Union. The Union is assaulted by no perils which are to be averted by new communication with the Pacific Coast.

If the Nicaragua Canal is likely to prove a profitable enterprise—and we think that the outlook is rather promising in that regard—capital will be found to make it; not so soon, of course, as it would be made under Government auspices, but with reasonable certainty. It cannot be said that the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

present company has put forth any great exertions as yet. It has not spent any large sum of its own money. It has not strained its credit. It has apparently come to the conclusion that the easiest way to get on is to "lie down" on the public Treasury. It does not seem to be very good business for the Treasury to take the burden at the first onset. No bond syndicate would undertake the financiering of the enterprise on such easy terms. As the Government is not a charitable organization, there is no reason why it should do more than private parties would do, unless two things are first made clear, viz., that the work is essential to the national welfare and that it cannot be achieved by private enterprise. Both of these things may be proved to the satisfaction of the people, but they have not been proved yet. Therefore a decision should not be hastily reached.

The report of the Committee touches upon the Clayton-Bulwer treaty, and assumes that that treaty has been nullified by the lapse of time, or, that it is not applicable to the sort of undertaking that this bill contemplates. This is another argument against hasty action. We do not think that any serious difficulty will be found in that quarter unless our Government goes at Great Britain with horns down, as Mr. Blaine did in 1881. Yet the existence of the treaty makes some negotiation necessary, and negotiation takes time.

LEGISLATION AND THE RAILROAD AGREEMENT.

THERE is a fear in the minds of some of our railway officers, that any action looking towards higher rates taken by the Advisory Board would be followed by hostile legislation on the part of important Western States. There is no reason to suppose that any immoderate advance in railway charges will or can be made because of any organization now attempted; still, the feeling in the public mind at the West will no doubt be influenced to a certain degree by the purposes of the conference as officially declared, and by the bearings of the practical steps taken upon the freights and fares. There may be a great difference in the effect upon Western legislatures between a wish to stop rate-cutting, so that all shippers must pay the published tariffs, and an attempt to change these nominal rates for others yet higher. This fear of hostile legislation is no doubt owing largely to the Farmers' Alliances. Just what effect these alliances will have upon the railroad problem is, as yet, as hard to determine as their political outcome. West of the Missouri River the farmers' organizations are demanding many hard laws against the railroads. In Kansas they propose a law requiring the Railroad Commissioners to be elected by the people, because these have presumed to have ideas of their own about fairness as between carriers and shippers; also such a reduction of tariffs as will yield an annual income not exceeding 6 per cent. upon the investment, meaning presumably first cost.

In Nebraska the biennial report of the Attorney-General to the Governor is full of denunciation of railroads for issuing stock without consideration upon which dividends are paid through extortionate charges. The political game which has been played for some little time by the politicians in and out of office in Nebraska, is now so well understood that the fulminations spoken of are not taken seriously. It so happens that the Board of Transportation of that same State investigated the subject of cost and charges of railroads last July, and reported that no reason existed for reducing rates generally. The Chicago, Burlington and Quincy, having 2,203 miles within the State, was carefully investigated, with the declared result that the annual earnings of that road in Nebraska were found to yield just 5.09 per cent. upon original cost and subsequent betterments. With such a report before it, there seems little probability of large reductions on the part of the Nebraska Legislature.

East of the Mississippi, to judge from the annual reports of the Boards of Railroad Commissioners just made, the feeling is conservative. The Illinois Board has nothing to say about reduction of railway charges. Its attention has been largely taken up with questions of safety appliances, and in this respect—the need of better apparatus and of earnings to pay for them—it no doubt represents the opinions of a majority of the people. The Board says that there are in Illinois about 700 places where one railroad crosses another at grade, and recommends interlocking plants at all these crossings. Such a plant costs about $5,000, or $3,500,000 for the State. The Board also argues strongly for couplers and air-brakes for freight cars—cost of these about fifteen million dollars, or for both items a sum larger than the annual dividends paid by all the Illinois roads, and nearly half the total bonded interest. Such facts should, and doubtless will, make the Illinois Board conservative in advocating improvements or in calling for lower charges.

Praise is also due to the Minnesota Commissioners. These gentlemen have put forth a noticeably moderate platform in their report—whether led thereto by the adverse decision of the United States Supreme Court upon their arbitrary action last year or not, it is needless to inquire. The Board states its principles in the order of their importance, thus: first, transportation of persons and property without discrimination as to persons or places; secondly, safe conveyance of the same; thirdly, the best service the system is capable of; and, fourthly, the cheapest transportation that is compatible with the foregoing and is just to the companies doing the service. Here the propositions are put in their true relation; not abnormally low rates *and* safe conveyance with good service, but efficiency first and the necessary earnings afterwards. If Government regulation is to stand the test of close examination and be justified before the common sense of the people, it must be based upon a clear conception of the relations between expenses and earnings. Compulsory increase of the one and compulsory reduction of the other, without responsibility on the part of the Government for the results, could not long win the approval of the American people.

There is therefore much in the general situation at the West to encourage our railroad managers. It is hardly correct to suppose that hostility to the "Trust" (as the agreement of railways has been called) will culminate in severe laws against the carriers, if the Advisory Board is moderate and attempts only to secure for the roads rates not much if any higher than those now nominally in force and against which there is little or no complaint. If this view is the true one, it follows that if the organizing roads cannot agree now among themselves to exact the published charges from all shippers alike, their failure will be due to other causes than Western State legislation.

CÁNOVAS ON DEMOCRACY AND THE LABOR QUESTION.

IT was something of a coincidence that the leader of the Conservative party in Spain should have been called to power, last summer, just after he had published a series of articles on "Democracy in Europe and America." He may not have had any intention of laying down a programme, but his frank perception of the irresistible advance of the democratic spirit in the modern world cannot but count for a good deal, coming from the chief of a party that has been supposed to stand for all that is reactionary. The frequent excursions of Cánovas del Castillo into the fields of literature are undoubtedly of a sort to give a show of color to the malicious assertion of a Spanish critic, that he always has the air of one snatching a few moments from his constant task of saving the country, in order to instruct all mankind on all topics; but at any rate, in the articles in question, he writes seriously and with a wide acquaintance with the literature of his subject, and his conclusions are worthy of attention apart from the significance of his political position.

After a long historical introduction, in which the growth of the democratic spirit is traced down from its beginnings, he devotes himself to an analysis of democratic institutions as they exist to-day in Switzerland, France, and the United States. He thinks that the Government of Switzerland "comes nearest to the full ideal of the word democracy," though he maintains that "in no democracy does there exist that equality of political rights promised in 1789 to all." He refers particularly to the fact that women are excluded from the suffrage, and that the voting age is so arbitrarily fixed. It may be of interest to note his opinion that, "as England and the United States become democratized, women will undoubtedly enter public life, the logic of a principle getting the better of mere ridicule." His account of political institutions in the United States is remarkably accurate, probably because he so closely follows Prof. Bryce; it

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

is worth noting that the excesses of party spirit among us, and especially our barbarous spoils system, furnish the strongest arguments this conscientious monarchist can think of against the practice of democracy as we exemplify it.

But Cánovas's exposition of modern democracy is not of so much weight as his criticism of the democratic theory in general. His main objections reduce themselves to two: democracy can give expression to the national will, but not to the national conscience, and can never have those "fixed institutions" which can deliberately preside over popular movements, check them, if necessary, and approve and put them into effect when desirable. "The direction of what is called public opinion may be at times as harmful as that of parties themselves." He insists upon the need of institutions which will express the permanent convictions or the conscience of a nation as well as its passing fancies, and which will also be able to sit like a good genius above the madness of public opinion, choosing the good and rejecting the evil. Of course, he finds his "fixed institutions" in a monarchy, which he tacitly assumes to be supernaturally wise and surrounded by infallible counsellors. His entire criticism, in fact, moves in the realm of pure theory, overlooking the question which, for the mass of mankind, must always be the most important, namely, not how theoretically perfect a political system is, but how well it works.

Whatever may have been the case with his writings on democracy, the long address on the labor question which Cánovas delivered at the annual reopening of the Ateneo cannot fail to carry a certain official significance. He was Prime Minister at the time, and though he disclaimed for his words anything but a personal responsibility, his personal views are almost certain to become the Government's views. In brief, he practically committed himself to State Socialism. He gave the highest praise to the German legislation which has taken such long strides that way, and held it up distinctly as a model worthy of imitation in Spain. Indeed, in public speeches during the pending campaign he has even more definitely promised to inaugurate something like the German system, if given the power to do it. There is every likelihood now that he is to be given another long lease of power. He may not be able to put his projects through: no one knows better than he the fearful inertia that resists any change in Spain. He may not be able to carry his party with him: many of his fair promises at the time of the restoration of the Bourbons in 1874 he could not keep. But the strong prospect is, that Spain will soon be another interesting field in which to watch the experiments of State Socialism.

DEMOCRATIC ASSUMPTIONS.—II.

PROGRESS AND POPULAR GOVERNMENT.

LONDON, December 16, 1890.

DOES democracy promote the advance of civilization?

The connection between popular government and that system of constant ameliorative change which we call "progress," will appear to many readers of the *Nation* so obvious that to ask a question to which there can be but one answer m y savor of pedantry. They will at any rate reply to my inquiry with an unhesitating affirmative. Nor need this excite any surprise in the mind of a candid thinker. There exists an abundance of striking facts which suggest that the development of democratic institu ions may, in modern times at any rate, be identified with moral and intellectual progress.

The democratic States are in the main the progressive States of the world. England, the United States, modern France, are the countries in which mankind has, during the last two centuries, advanced most rapidly in the diffusion of general knowledge and in the establishment of material comfort or prosperity. They are also lands which have either for ages been the home of popular government, or are now the leading democratic States of the day. Germany, it may be objected, plays a leading part in the affairs of the world, but is governed on principles which are not democratic. The observation is sound, but even in Germany democracy gains ground. Prince Bismarck may have contemned parliaments, but he sought, when he could obtain it, popular if not parliamentary support for his policy; and Frederick the Great, could he revisit the world, would deem Prince Bismarck and Prince Bismarck's successor parliamentarian statesmen.

Who, again, can deny that an observer who looks at modern history as a whole, will find that the development of material prosperity has in most countries coincided with the extension of popular power? Every age, whatever be the prevailing appearance of self-complacency, is tormented by the knowledge of the evils under which it suffers. In England, as, I presume, in the United States, a reformer who fixes his eye on the actual state of society, is certain to point out social maladies, some of them old, some of them new, which destroy or menace the welfare of mankind. But a critic must be wanting in discernment who denies that in England, in the United States, in France, or in Italy, knowledge has increased, and that the diffusion of light has alleviated the sufferings or increased the happiness of the human race. An English artisan of 1890 would find unbearable the conditions under which his father or his grandfather lived in 1830. It would be impossible to exaggerate the follies and crimes committed by France during a century of revolution. But no Frenchman would willingly return to the *ancien régime*, and substitute for the unimpressive rule of President Carnot the benevolent though feeble despotism of Louis XVI., or the vices and tyranny of Louis XV., or even the glory, the oppression, or the bigotry of the *Grand Monarque*. Nor does the historical argument which links together the cause of progress and of democracy stop here: the position is at any rate fairly maintainable that the spirit of freedom has always gone hand in hand with the spirit of civilization. It is the States which in their day were counted the great free States of the world—Athens, Rome, the Italian Republics, Holland, England, and the United States—which have left, or are leaving, their mark for good on the history of mankind.

The real defect of this line of argument, as proving the progressive character of popular government, is that it identifies intellectual or modern freedom with the growth of democracy, while the legitimacy of this identification is in reality a main part of the question we are trying to answer. The advocate, however, of popular government may fairly blend the historical and the logical line of argument. The extension of popular authority produces two results, both of which remove obstacles from the path of progress.

The possession of power by the mass of the people counteracts the influence of limited classes whose prejudices or self-interest may be opposed to the policy dictated by considerations of general expediency. This fact made the strongest impression on Bentham and his disciples. The sinister interest of special bodies, such as landowners, merchants, or lawyers, delayed, as the Benthamites perceived, the most obvious beneficent reforms. If we ask why, not a century ago, the penal code of England was as barbarous as it was unscientific, why legal technicalities checked the administration of justice, why indefensible restrictions on trade were maintained by sagacious statesmen, the rough answer is to be found in the words, "the influence of sinister interests." A man's interest, it should be noted, works after a manner more subtle than is generally perceived by reformers who denounce its influence. Few human beings are so degraded as knowingly to prefer their private wealth or comfort to the prosperity of all their neighbors. But fewer, on the other hand, are the men endowed with sufficient enlightenment to see that institutions from which they themselves derive benefit are injurious to the world at large. A pleader who derived a handsome income from the technicalities of pleading, almost of necessity believed that the arts of the special pleader served the cause of justice. Squires, parsons, and farmers held with perfect honesty, that unless the price of corn were high, the greatness of England was certain to decline, just as with equal honesty merchants and manufacturers used, while trade was protected, to believe that English commerce depended on protection. Democracy, which breaks down the strength of privilege, does undoubtedly remove the hindrances which privilege opposes to progress. However great the evils generated by the French Revolution, the abolition of aristocratic exemption from the weight of taxation was a benefit certain to follow from the triumph of democracy in France.

Popular government, in the second place, thrusts into view the miseries which weigh upon the mass of the people. Of the ills caused by misgovernment the greater number are due not to malignity but to ignorance. Imagination is the rarest of gifts: men are literally unable to imagine sufferings which they do not themselves endure. This is by far the strongest argument in favor of an extended suffrage. The ten-pound householders who, for thirty years and more, ruled England, were as intelligent a body of electors as could well be selected from among the whole people of the United Kingdom; they were better educated than the present English electorate; they were not a privileged body—no hard-and-fast line separated them from those whom it is now the fashion to call the masses. Yet the ten-pound householders could never rise to the conception of a really national scheme of education, and the Representation of the People Act, 1867, which, together with subsequent statutes, abolished the political supremacy of the middle classes, has been followed by constant improvements or innovations which have aimed at meeting popular wants which the ten-pound householders could not meet because they hardly perceived their existence.

To these and other obvious arguments in support of the theory that the cause of progress is

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

bound up with the cause of popular government, a wise man will attribute great weight. It is far too much the habit of theorists to fancy that things which are obvious or commonplace are not worth attention. Thoughts which occur to every man are often thrust upon public attention because they are suggested by patent facts, or, in other words, are indisputably true. Nothing hinders the search for truth more than misplaced scorn for truisms. Distrust appearances if you like, but do not forget that things constantly appear to be what they in reality are. It needs no passionate enthusiasm for democratic institutions for an honest critic to admit that, as the world now stands, democracy bears the appearance of an ally of progress.

Two considerations, however, go far to forbid absolute faith in the dogma that democracy, *i. e.*, the political influence of numbers, must under all circumstances further the development of civilization.

First, the administration of public affairs is an art. It is an art depending for success on knowledge, on skill, on training; it is based, or ought to be based, on science and education. It is an art, moreover, the complexity whereof increases with the complication and subtlety of our social mechanism. With our existing acquaintance with human nature, with the lessons of history, and with the laws that govern the external world, it would be possible to manage successfully the affairs of such a city as Athens, or even of such a State as the Roman Empire. We could, at any rate, avoid the terrible evils which it is said flowed from ignorance as to the elementary principles of taxation, and which assuredly flow from blindness to the social and economical ruin involved in a system of slavery. Human inventiveness has made far less progress during the course of centuries than might have been expected in political mechanism. But representative government might possibly, had it been known to Cicero and to his contemporaries, have warded off the fall of the Republic. Unhappily, human necessities outgrow human knowledge. The science (using the word in its widest sense) which might have sufficed for the government of Athens or Rome, is hardly sufficient for dealing with the problems which already tax, and will, as the world grows fuller, tax still more severely, the statesmanship of Europe and of the United States. But statesmanship which is to be scientific can, from the nature of things, hardly be popular. The government of the people, even in its best form, means government in accordance mainly not with the knowledge possessed, if at all, by the most highly educated and the most judicious among the citizens of a country, but with the prevailing sentiment of the time. This sentiment is often right, it is certainly often wrong; and its rightness on some occasions does not of necessity correct the practical errors resulting from its wrongness. Popular feeling has approved religious intolerance; popular feeling still, throughout the greater part of the world, supports the protection of trade; popular sentiment condemns, and almost of necessity condemns, all restrictions on that lavishness of indiscriminate charity which produces pauperism. Education, it may be urged, becomes every day more common. This is true. What people forget is, that knowledge also increases, and that the progress of scientific discovery gradually makes the relative ignorance of the mass of the population greater than in ages when the whole store of human knowledge was far less than at present. An ordinary citizen of Athens stood more nearly on the same level of knowledge as Pericles than an ordinary British elector stands on the same level as the most thoroughly educated men in England. Is it likely, it may well be asked, that countries governed by the ignorant will long continue to be countries conspicuous for their respect for science, for the promotion of that kind of progress which depends on scientific discovery? One thing is certain: popular governments are not in modern times famous for good administration. Unless my reading of the *Nation* has led me greatly astray, this is a point which need hardly be pressed on the attention of the citizens of New York.

Secondly, the apologists of democracy inevitably connect, if they do not confuse, the growth of popular power with the development of individual freedom. This connection, to a certain extent, is real. Revolutions like the movement which a century ago shook the foundations of European society, of necessity break down, for a time at least, the barriers which prevent talent or genius from finding its appropriate field of action. The opening of a career for talent reinvigorated France with new life, and gave her strength to come out for a time victorious in the conflict with the combined Powers of Europe. But this opening a path for ability is the fruit not of democracy, but of revolution. In the field of politics, at any rate, it would, I conceive, be rash to assert that the democracy of America, or for that matter of modern France, specially favored the development of talent, or, what is really the same thing, the leadership of character and of genius. No student of Mr. Bryce's 'American Commonwealth' will conclude that the best or the ablest men of the country are to be found within the walls of Congress.

However this may be, it is certain that eras which cannot be called democratic have witnessed the growth and development of that kind of freedom which is conducive to intellectual and moral progress. The plain truth is, that from one point of view a system of government, whatever its name, which enables men of capacity to get to the head of affairs, is in one sense anti-democratic. It creates an aristocracy of talent; it stimulates individual freedom and individual self-assertion; it gives new force to the struggle—if not for existence, at any rate for leadership. It is absolutely opposed to that conception of equality which, whether it be bad or good, lies at the bottom of socialist ideals. Both speculative considerations and practical observation forced upon every one by the circumstances of to-day make it at least dubious how far modern democracy will in the long run favor that kind of individualism which is one spring of human progress. Before we can feel certain how far democracy will be permanently allied with progress, we should examine the true relation between democracy and individual liberty.

AN OBSERVER.

TAX REFORM IN FRANCE.

PARIS, January 1, 1891.

THE opening of the year sees in France the inauguration of a new law remarkable for its practical importance and its historical interest—of a fiscal reform destined to put an end to a secular injustice: the flagrant inequality, namely, of the burdens imposed by the direct tax on real estate, the rate of which has varied from department to department, from commune to commune, with almost incredible partiality. It seems as if these differences could be caused by nothing but a blind chance till a closer examination reveals a law in their distribution: the tax is strictly proportioned to the general prosperity of the community—but inversely. In 1884 the Department of the Seine, with Paris, was paying to the State something less than 2 per cent. of its net returns from values in land, while the wretched departments of the Hautes et Basses Alpes, ruined by the destruction of their forests, and the consequent floods which washed away their scanty surface soil, were at the same time paying more than 7, and several phylloxera-smitten departments more than 6.

This inequality is the more striking in France, in that the love of equality is the most characteristic, if not the noblest, passion of the modern Frenchman. "Liberty, equality, fraternity" shows conspicuous on the portal of every public building, and of this trinity the second is not the least considered. The effort to attain civil equality before the law has been the fertile cause of these changes that have at once rent and welded the French nation, and civil equality is in nothing more plainly acknowledged or denied than in the distribution of the Atlas burden of State support.

If a question of taxes induced the less violent but no less earnest revolutions of Englishmen; if ship money and the Stamp Act, insignificant in themselves, are become historic watchwords, there is at least an intimate relation between the fever of the Revolution and the fiscal abuses of the *ancien régime*. Yet this very revolution instituted a system of direct taxation which, in regard to real estate, at least, is radically vitiated by the old defects, favoring the prosperous and oppressing the unfortunate, and that in an ever-increasing degree. The history of legislation on this subject gives the explanation. In 1789 the Constituent Assembly abolished, with the rest, the old taxes which fell upon real estate—the *tailles* and *vingtièmes*, namely, with the *dîme* collected for the benefit of the Church—and deprived the State of the 321,000,000 francs of revenue which they had yielded. To supply the loss, a *contribution foncière* was decreed, to be levied on all real estate (lands and buildings alike) in proportion to net revenue. In form it was a so-called distributive tax—*impôt de répartition*—that is, the law fixed beforehand the amount required, and this sum was divided successively among the departments of France, the arrondissements of each department, and finally the communes. Each commune then decided what part of its contingent each proprietor should pay. Besides the "principal" of the tax, or the payment to the State, there were collected at the same time a certain number of *centimes additionels* for the benefit of the departments and communes; an addition sometimes, and especially of late years, amounting to considerably more than the "principal."

It is evident that with this arrangement the difficulty lay in the just distribution of the shares to be paid by the different local bodies, and finally by individuals. In the first place, the necessary data were lacking. It is true that various valuations of the territorial wealth of France had been attempted by Vauban, Mirabeau *père*, Dupont de Nemours, Lavoisier, and others, but nothing was certain. The Assembly resigned itself to an empirical solution. Since each division of the kingdom had paid under the old system all it was capable of down to the uttermost farthing, the new *impôt foncier* was distributed according to the proportional amounts formerly paid in taxes, direct and indirect together. At best this could be but a hit-or-miss method, but its partiality was aggravated by the inequality between the former *pays d'élection* and *pays d'état*—

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

that is, those which fixed their own contingent and those which were deemed by the King's officers. This naturally gave rise to complaints, which were answered (1797–1821) by a series of reductions for the benefit of the overtaxed, lowering the income of the impost from the 240,000,000 received in 1790 to 155,000,000 in 1821.

But these reductions failed wholly to go to the root of the trouble, and in 1807 an attempt was made to procure a complete register of real estate in France, giving the situation, extent, and value of each property, and able to serve as a basis for a systematic reform. Unfortunately this *cadastre* was almost forty years in the making, so that the difference in the date of the valuations for different districts made comparisons impossible. In 1821 it was already evident that the original intention must be given up, and it was decided to use the *cadastre* simply for apportionment within the communes. But even if division according to an ideal register could have been effected, it would have been rendered worthless by the revolution in values due to the introduction of railways in the fourth decade of the century. In 1835 another reform was voted, namely, the fluctuation of local contingents with the construction (or demolition) of buildings in the place. Since this change, and owing largely to the great increase of wealth invested in buildings, the sum produced by the tax has been steadily increasing—in spite of the reductions caused by the loss of Alsace and Lorraine and the ravages of phylloxera; in spite, especially, of the lowering of the rate from more than 6 per cent. in 1851 to less than 4 per cent.

In July, 1881, another step was taken. The confusion of land and buildings in one common mass had hitherto added to the difficulty of the whole subject; now an investigation was ordered which estimated them separately and published the results in 1883. The total value of the tax proved to be 175 millions, of which 118 applied to land proper and 56 to buildings. This theoretical division of the subject has led to a practical difference in the treatment of the two classes of property which makes it necessary to speak of them separately. To begin with the land-tax proper, the rate was found to be on the average 4.67 per cent., but this average was made up of such widely differing particulars as Mont St. Michel paying .5 per cent. and Montussan in the Gironde paying 30 per cent., or sixty times as much. To rectify this abusive condition, a reduction of 15 million francs was voted last August, the burden of the thirty-eight overtaxed departments being lightened by nearly 13 millions, and a remittance of between 2 and 3 millions being apportioned among other departments already paying less than their share. The reason assigned for this last arrangement was, that though the average rate was low in these departments, they contained cases of oppression which could thus be relieved. Only five departments were left *in statu quo*—among them, the Department of the Seine. The equalization within the departments is to be effected, I believe, by means of local councils, but it has not yet been extended to individuals.

The reform of the other tax on real estate, that on buildings, is of a much more satisfactory kind, and is the direct result of the investigation of 1887. This work, undertaken at the instance of the Legislature by the Statistical Bureau of the Ministry of Finance (that is to say, by M. de Foville), and most successfully completed by him in 1889, brought to light still more flagrant injustice than any shown by the land-tax. The average tax on buildings was 3.1 per cent. of the net return, allowance for repairs and sinking-fund being set in the case of houses at one-third, of factories and so forth one-fourth. Three per cent. is not an excessive rate, but unfortunately the proportion varies from 1 to 5.3 per cent. between different departments; from .78 to 5.87 per cent. between different arrondissements; and between communes from .15 to 42 per cent. and over. If one commune pays on the average 280 times as much as another, what may not be the difference between the most favored individual in the one and the most oppressed in the other?

Of course these extraordinary differences are due, apart from original injustice, to the changes in local wealth invested in real estate, combined with a fixed or comparatively fixed requirement, and it is easy to see how, in such a state of things, an upward or downward tendency once begun would be constantly accelerated by action and reaction. Wealth would lower the taxes and attract more wealth; poverty would load the poor with extra taxes and decrease the population, leaving the remainder to share the same burden among them. The Alpine villages already spoken of are a case of the latter sort; the fashionable resorts, such as Nice and Vichy, which have experienced a sudden rise of values, illustrate some of the causes of a very low rate. Corsica, the most lightly taxed of all the departments, owes her exemption to special historical circumstances—the indulgence shown a stranger in the family circle who might prove restive under its discipline, and, under the Empire, a consideration for the home of the Bonapartes. On the other hand, Tarn-et-Garonne, one of the most overtaxed, is the victim of an accident. Not constituted till 1808, it was omitted in the division of the tax, probably by the oversight of some subaltern, and afterwards received an unfair imposition.

Happily, this system is now a thing of the past. January, 1891, sees the inauguration of a new order! The tax on buildings is no longer a "distributive" but a "proportional" tax (*impôt de quotité*), *i. e.*, the rate is fixed and its product may be what it will. This rate is set at 3.20 per cent. of the net revenue, the criterion being the valuation of 1887–'89. This estimate was made with such care, in most cases with the coöperation of local authorities, and is so amply corroborated wherever a check calculation is possible, that its imperfections are probably small compared with the abuses it is to rectify; but a liberal hearing is granted to objections, first before the *conseil de préfet*, then before the *conseil d'état*, the suit being without expense when the sum involved is small. The valuation is to be renewed every ten years, but in case of a change in value within the decade an immediate rectification can be had.

The chief difficulty is in the case where the tax is increased, as it is in thirty-seven of the eighty-seven departments, and much hardship seems inevitable. The Department of the Seine, with Paris, is one of the sufferers, for her burdens will be increased by two million francs. Let it be added that the two chief promoters of this reform stand for constituencies which will henceforward have heavier tax-bills to meet, and which may not appreciate the honorable disinterestedness and public spirit of their representatives. But at least these gentlemen and all who have joined in the good work may feel that they have taken their part in freeing France not only from a material cause of distress, but from a reproach to her honor and her justice. That the country at large will appreciate this and be ready to meet the sacrifices entailed by the change, seems attested by the hearty applause with which an audience of Parisians, and in large part of Parisian workmen, received the lectures which Prof. de Foville devoted to this subject in an evening course given at the Conservatoire des Arts et Métiers—lectures of admirable lucidity, simplicity, and finish, of which these notes are little more than a mutilated reproduction. EMILY G. BALCH.

THE SIDON SARCOPHAGI.—II.

WINCHESTER, Va., December 9, 1890.

MORE important by far than the discovery of the tomb of Tabnith, King of Sidon, was the discovery, in the later and deeper tomb, of the Greek sarcophagi with polychrome sculpture. Four of these are remarkable works of art. It will be understood that each of them is a rectangular block of white marble, nine or ten feet in length, four or five in breadth and height. One of them is hollowed out in anthropoid shape within, the rest are simple. The cover of each is a single block of marble of great size and weight—in the case of two of them larger, it seems to me, than the sarcophagus itself. These immense pieces of stone were found in chambers at the bottom of a shaft forty feet deep, in a country where there are no derricks nor any mechanical contrivances accessible with which to raise such masses. Taking advantage of a fall in the ground of about twenty feet or so from the rock plateau to the garden level a little below the tombs, Hamdy cut a sloping tunnel through the rock to the foot of the shaft, and dragged the sarcophagi up this tunnel, one by one, by ropes and man-power. Then he constructed a road through the gardens and dragged them in the same way about three-quarters of a mile to the sea. No one who has not tried it quite realizes the engineering difficulties with which the excavator has to contend in such a country.

The first of these sarcophagi which I saw was an imitation of a peristyle Greek temple. Between every two columns was a female figure in an attitude of mourning. The conception is somewhat stiff in its uniformity, but the execution of the weeping figures is so varied and so graceful that the stiffness is overcome, existing in description rather than in actual fact. The minor adornment, also, is singularly beautiful. The coloring of this sarcophagus is almost worn off. Next to this is the sarcophagus of an old man. On one of the longer sides he is represented about to mount his chariot. On the other long side he is engaged in the hunt, and on one of the short sides he is banqueting. In each case he is the central figure. The lower part of this sarcophagus shows signs of having stood in the water. It is slightly discolored, and it seemed to me that the clear outline of the figures had been somewhat blunted. Nevertheless, it was a singularly beautiful work of art.

The third sarcophagus was much larger than the preceding, and the cover was high and pointed, with gables at either end. On the two long sides is represented a chariot race. The heads of the horses are, I think, the most beautiful that I have ever seen in marble, so striking and effective that on first inspection I preferred this sarcophagus above all the others, returning time and again to admire the horses. Further examination, however, revealed a stiffness in treatment, the forelegs of the galloping horses in each chariot forming, for example, one straight line. Moreover, the bodies of the horses were somewhat too round and barrel-like. At the short ends centaurs

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

were engaged in combat, one of them using an earthenware jar for a weapon. Each end was the same, and the scenes on the two long sides were almost identical. The impression made on my mind was that they were intended to be the same, but were assigned to different artists, one or both of whom introduced variations in the theme. To support this notion I thought that I observed considerable difference in execution, the side towards the door as one enters being much finer than the other. It was on this side that I particularly admired the execution of the horses' heads. In the gables were griffins. Here, in the gables, the polychrome was well preserved, and there was much gold, but elsewhere it was badly worn away.

Each of these three sarcophagi is in itself a beautiful work of art, and each of them greatly surpasses in beauty any other sarcophagi which I have ever seen, but no one of them bears comparison for interest or beauty with the fourth sarcophagus. One of the long and one of the short sides of this represent a battle between Greeks and Persians. At the extreme left, the beginning of this scene, is Alexander the Great on horseback. The central figure of the scene is a young, beardless, handsome Greek, also mounted. The head of this figure had not been restored when I saw the sarcophagi, but I was enabled to see it by the kindness of Oskan Effendi, Professor of Sculpture in the School of Art at Constantinople, who had, I believe, been with Hamdy Bey at the excavations, and who has conducted the restoration of the sarcophagi. The hat of this youth had been gilded (to this Oskan Effendi called my attention), and his is the only figure which was so distinguished. This and his central position would suggest that the sarcophagus belongs to him. If the same figure could be found in the hunting scene, his proprietorship of the sarcophagus would be settled beyond a doubt. But I believe that he has not been found, and I did not myself make a comparison. At the extreme right hand of the battle scene on the long side is a third Greek on horseback. Hamdy Bey states that he is an old man, and that the face is the same as that of a Greek who is being assassinated by Greeks in the bas-relief in one of the gables. If this identity be actually established, then I think that Hamdy's argument that this is the sarcophagus of Perdiccas, in support of which he adduces further corroborative evidence, is proved, although I should still be perplexed by the position of the young man with the gilded hat in the centre of the field. It did not seem to me, however, that the identification of the two figures mentioned above was satisfactory, but I have not compared them with the same care as Hamdy. His argument should be studied as he himself presents it, and his illustrations will furnish a means to check the argument for one's self. At least he proves that the sarcophagus belonged to a man of the first importance, who had campaigned with Alexander the Great, and who was in some way connected with the assassination of a Greek, probably with the assassination of Perdiccas. This and the other sarcophagi found in the same tomb must therefore be ascribed to the close of the fourth century B. C.

To whomsoever the sarcophagus may have belonged, it is worthy not merely of a general of Alexander, but of Alexander the Great himself. So vivid and realistic a piece of sculpture I have never seen. I was literally confounded with amazement and enthusiasm when I first saw it. I have never felt such an enthusiasm over any other work in marble as I did over this sarcophagus. But it was so different in execution from anything which I had ever seen before, that, although I was carried away with enthusiasm the first time I saw it, I did not then gauge its real value, nor appreciate what an immense importance it possessed as a veritable revelation in plastic art. Each time I studied it it seemed more remarkable than it had the first time. What especially interested me was the use of painting in connection with sculpture, and the excellence of the perspective. The figures in the foreground are in very high relief, almost free-standing statues. From this they recede through every degree of relief to painting on a flat surface. I recall one soldier who lies dead on the ground. He is in rather low relief, and stretches into the background, until his shield and part of his spear are painted on flat marble. But so gradual is the transition that you must feel with your fingers to determine just where the relief ceases and the flat surface begins. In the case of harness, garments, and so forth the same method is pursued. Sometimes sculpture and painting are combined, sometimes the latter alone is used, according to the degree of relief to be given. The effect is far more realistic than anything which can be achieved by either sculpture or painting. While admiring beautiful statues, I have always had an uncomfortable sense that they were dead people, very beautiful, but lifeless. Paintings are not open to the same reproach, but I am not able permanently to keep my knowledge out of my eyes, so to speak, and the paintings will be paintings on flat canvas. The trouble with bas-reliefs is the lack of perspective; the figures tend to stand on top or inside of one another. But these are matters for the artist to discuss and criticise, not the archæologist. Suffice it to say that to me, a layman in art, the battle-scene on this sarcophagus, thanks to the combination of painting and sculpture which I have tried to describe, possesses a realism greater than any work of art which I have ever seen. As to the sculpture, it goes without saying that it is wonderful. The colors are not entirely preserved, but so much that with very little exercise of the imagination the whole thing stands restored to you.

Another curious piece of realism is the use of metal for the horses' bits, for spears, swords, etc. Similarly gold is used for the jewelry. I have spoken of the design of the first sarcophagus, the "Weepers," where a stiff and monotonous plan is overcome by variety of detail. Something of the same sort is to be remarked in the Alexander sarcophagus. Taking the battle scene on the long side, one observes that there are two horsemen, a Persian and a Greek, to the left, two to the right, and two in the centre. The footmen and the corpses are almost divided into fields exactly balancing each other in the same way. But this precise balancing is handled so gracefully that it seems to be only a perfect symmetry. I know that in description it sounds hopelessly stiff and angular, but the skeleton of a formal, precisely balanced plan is so perfectly covered with the flesh of natural and varied action that I discovered its existence only by the accident of counting the figures to see how many there were.

I have devoted my description to the battle scene. The hunting scene is nearly if not quite as interesting, and even better preserved. The minor work on this sarcophagus also, above and below the main fields, and on the cover, is very remarkable.

These sarcophagi when found were all considerably injured. Fortunately the pieces were almost all found with the sarcophagi, and they have been admirably restored—that is, the original pieces themselves have been dexterously fitted together, so that you have the actual original sarcophagi before you almost intact. The vandals who broke them were apparently quite numerous and armed with effective weapons. In their haste to break in and secure the rich booty which they expected to find, each sarcophagus was attacked at once at each corner, and sometimes at the sides as well. As soon as one person had succeeded in breaking through, the rest abandoned each his corner and assisted in enlarging the breach already made, until it was sufficient to enable them to abstract the contents. From the wholesale character of the work, and the nature of the tools used, Hamdy argues that they were broken into and robbed by Roman soldiers, perhaps at some time of disturbance, when the sack of Sidon and the plundering of its rich tombs seemed to the commanding general justifiable because it had taken part on the other side.

In conclusion, let me repeat again, what I hope my description has justified, that Hamdy Bey has discovered in the Sidon sarcophagi at least one of the greatest art treasures of the world, the full account and description of which by himself both artists and archæologists must await with impatience.

JOHN P. PETERS.

Correspondence.

THE INDIAN "WAR."

TO THE EDITOR OF THE NATION:

SIR: Would to God that this horrid barbarity at the West might rouse some member of our national Congress to a sense of his opportunity!

All this shameful, dreadful business is but the natural fruit of the blundering mismanagement and corruption which always have been and always will be inevitable in undertaking to govern the Indians *without law*, by a set of politicians at Washington.

Why on earth should this great nation be carrying on "war" with a handful of people—people who are absolutely under their control? Why were these people not long ago incorporated into our political system, made amenable, like other people, to the ordinary laws of the land, and protected, like all others, by those laws?

The root of the mischief lies here in the spot which I have indicated. A single member in each house of Congress, devoted, courageous, deeply impressed with the gravity of the situation, could do wonders now, would he but insist upon a radical measure. The old leadership will no longer serve.

A bill which goes some way towards the needed reform has slept for some years in the hands of the Indian Committee of the Senate—a bill that was warmly advocated and pressed by the leading Indian associations of the country. In my judgment, it is a good bill, but it does not go far enough, for it leaves the Indian Bureau still in existence. The whole miserable system of governing the Indians and administering their property without the ordinary legal responsibility should end at once.

JAMES B. THAYER.

CAMBRIDGE, January 12, 1891.

TO THE EDITOR OF THE NATION:

SIR: In all the illustrations of my theories which your correspondents find so ingenious, I believe I have never touched upon one which is

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

certainly not the least powerful, the relation of this country to the Indians. The reason is that it has not for many years come up in a form which would give it due emphasis. But this sad and cruel and disgraceful slaughter, and the justification of these adjectives by Gen. Miles's article, give a fresh opportunity to point a moral.

There is to-day no human being under this Government who can be held responsible for the treatment of the Indians. I suppose some committee of Congress has the matter in charge, and behind them stands the Indian Commission, *nominis umbra;* but both are beyond reach of appeal. Mr. Herbert Welsh has spent the best years of his life in trying, with the aid of devoted assistants, to bring about some reform, and the result of it all is what we see.

What has seemed to me even more depressing than the fate of the Indians is the utter futility of such efforts, for the want of an objective point. The Secretary of the Interior is nominally responsible for Indian affairs, but is really not at all so—first, because of his limited power, and second, because he cannot be reached in any way at all effective as compared with the pressure to which he is subjected on the other side. If that official had to stand up every day at noon on the floor of the House of Representatives, and, while the rest of the House and the Senate are wrangling over the Force and Silver Bills, some member, animated by the spirit of Mr. Welsh, were to persecute him with a daily cross-examination which he could not evade, and to which he must reply—his replies being printed in every newspaper in the United States—we should soon find out where the root of the difficulty lies, and who are the culprits who are dragging the national honor in the mud; information which is the indispensable basis of every practical reform.

G. B.

Boston, January 10, 1891.

THE JAPAN TREATY REVISION.

To the Editor of The Nation:

Sir: The last mail from San Francisco brings us the resolutions recently passed by the New York Chamber of Commerce in regard to the revision of the treaty with Japan. The question, like all matters that concern the relations of sovereign Powers, presents many difficulties, and is one on which opinions may be expected to differ. Since, however, the resolutions above referred to seemed to be based entirely upon the action of the Yokohama meeting held on the 11th of September, to protest against the supposed terms of the treaties now under consideration, it is but fair to say that the Chamber of Commerce has acted upon very imperfect information, and has committed itself to propositions which would never have been accepted by its members had the facts in the case been known to them. This is not surprising when we remember that nearly one-third of the circumference of the globe lies between New York and Japan, and that the only persons interested in circulating the accounts of the Yokohama meeting were the men who engineered it, and who contrived to give to its proceedings an air of importance which they did not deserve. The second preamble of the resolutions of the Chamber of Commerce runs as follows:

"Whereas, The foreign residents of Japan are a unit in opposition to the relinquishment of such rights [the extra-territorial rights mentioned in the first preamble], as is shown by a mass-meeting of foreign residents of all nationalities, held in Yokohama September 11, 1890, at which over 400 foreign residents were present, and resolutions opposed to this feature of such revision were unanimously adopted," etc.

Now, nothing could be further from the facts as known to all the foreign residents of Japan—to the promoters of the Yokohama meeting no less than to others. Indeed, it is notorious that the action of that meeting not only did not represent the unanimous opinion of foreigners here, but did not represent the unanimous opinion even of the foreigners of Yokohama itself. Out of a foreign population of some 4,500 persons, only 408 were found to subscribe their names to the resolution in question. If we suppose the families of foreigners in Yokohama to consist of five persons each, it will be seen that the number of signers represents less than half the heads of families in the place; but when it is remembered that in all such settlements the number of unmarried men is greatly in excess, it will be evident that a very much larger part than one-half of those entitled to sign the resolutions abstained from doing so.

In the eyes of unprejudiced observers, the meeting in question was not calculated to command great respect. It was too evidently packed by a few skilful manipulators to be regarded as a representative gathering. The entire proceedings were such as, by a familiar figure, we are accustomed to call "cut and dried." The Chairman was chosen in advance; the three resolutions were prepared beforehand; a gentleman known to the promoters was selected to move each resolution in a brief speech, and another to second it; the question was then immediately put to vote and rushed through without debate. Such a mode of procedure can be called nothing less than a travesty on fair dealing and public sentiment. It is on a level with the methods of the lowest ward caucus, and deserves the reprobation of all high-minded persons.

On the 26th of September a meeting was called in Kobe to take action on the same question. But by this time the soberer part of the people was awake and declined to be represented, or rather to be misrepresented, by the implacables of the foreign settlement in this way. They accordingly refrained from ratifying the action of the Yokohama meeting, and adopted instead resolutions of a much milder character, proposing the postponement of the date for the abolition of consular courts until the working of the new codes could be tested. Even this some of the leading residents of the place are said to have refused to sign.

These two gatherings, so unlike in tone, are the only secular meetings held by foreigners in Japan to consider the question of treaty revision. To declare that the action of the handful of Yokohama malcontents represents the unanimous opinion of the foreign residents of Japan, when such residents number some 7,000 or more, is the height of absurdity. It reminds one of Burke's well-known comparison in speaking of the partisans of the French Revolution in England: "Because half-a-dozen grasshoppers under a fern make the field ring with their importunate chink, while thousands of great cattle, reposed beneath the shadow of the British oak, chew the cud and are silent, pray do not imagine that those who make the noise are the only inhabitants of the field."

On the other hand, on the 3d of October a memorial was addressed to the British Minister in Japan, signed, with a single exception, by all the English missionaries in Tokio. The aim of this memorial was to counteract the influence of the Yokohama meeting, and called for such a revision of existing treaties as "will, while sufficiently safeguarding the rights and interests of H. B. M.'s subjects, satisfy the legitimate demands of H. I. M's Japanese Government in the matter of extra-territoriality." On the 14th of the same month the Central Missionary Association of Japan, including representatives of the various Christian churches engaged in missionary labor here, at an unusually full meeting adopted a similar resolution, declaring that "every just and legitimate demand of the Japanese Government and people in accordance with the principles of international law should be conceded in revising the treaties between Japan and the foreign Powers concerned."

In view of these facts, it is a matter of regret that the New York Chamber of Commerce should have been led, through insufficient, or rather through false, information, to put forth such a resolution as it did. The generous policy hitherto pursued by the American Government towards the Japanese should not be influenced by the action of a few implacables in a packed meeting led by Englishmen who are actuated partly by motives of gain, partly by that spirit of self-assertion which has often led them to do scant justice to nations not fully prepared to defend their own rights.

A peculiarly ridiculous feature of the Yokohama meeting was the participation in it of representatives of the Chinese settlement in Yokohama, a Chinaman being even put upon the Committee intrusted with the duty of spreading the action of this august body before the civilized world. That the people of a nation where justice in the hands of the mandarins is a regular matter of barter and sale, where the inhuman practice of judicial torture still prevails, and where extortion and oppression are the common penalty paid by the individual for increasing prosperity—that such people should declare themselves to be in great danger when called upon to submit to the jurisdiction of the only Oriental nation that has put itself in the line of Western civilization and Western progress, while they themselves are slowly dying of dry rot at home, is so absurd as to give to the whole meeting an air of travesty.

The balancing of considerations of safety with those of international justice in the revision of the present treaties may justly occasion differences of opinion. The high intelligence and progressiveness of the Japanese, combined with their extreme sensitiveness to the opinions of the rest of the world, and their desire to be acknowledged as no whit behind the most advanced civilization of the West, will in all probability constitute a moral safeguard in the administration of the new codes quite adequate to all the requirements of the case. Still, it may be the course of prudence to fix a date, say five years in the future, for the abolition of the consular courts, or to provide for a joint commission to agree upon the time for abolishing them after the mode of administering the codes has been satisfactorily seen. Two things, however, are certain: first, that the extreme irritation of the Japanese people at the humiliating and unjust position in which they are placed is such that the present condition of affairs cannot much longer continue; secondly, that the immense strides made by them in the last thirty years demand and must receive ample and honorable recognition in their treaties with Western nations.

William Shields Liscomb.

Keiogijuku University,
Tokio, Japan, December 15, 1890.

CHEAP MONEY FOR FARMERS.

To the Editor of The Nation:

Sir: Your editorial in your issue of Decem-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ber 25, 1890, on "Cheap Money, Dear Goods, and the 'Debtor Class,'" draws attention to the very apparent fact that, of all the so-called "debtor classes," the heavily mortgaged farmers are substantially the only ones to be benefited by a "cheapening" of money through the debasement of the standard. It does not suggest, however, what I believe to be a fact, that only a comparatively small fraction of these farmers are in any position to avail themselves of this "cheapening" of money through a reversion to the silver standard.

Probably 90 per cent. of the farm mortgages of this country are negotiated by systematic lenders, by banks and by corporations organized for this express purpose. Some familiarity with the business as it is conducted in the West and Northwest enables me to say that in this part of the country, and probably everywhere, both in rural and urban loans, it has long been the custom of these lenders to make the mortgage debt, both principal and interest, payable *in gold*. Though I do not know that any statistics are obtainable, I do not believe that it would be any exaggeration to say that full 75 per cent. of the mortgage indebtedness of the country is in terms expressly made payable *in gold*. That such a stipulation can be enforced is well settled. (See Bronson vs. Rodes, 7 Wall., 229, affirmed in Trebilcock vs. Wilson, 12 Wall., 687.)

Probably not one farmer in fifty is aware that such is the condition of the mortgage-note or bond which he has signed. Hitherto, for many years, it has been a matter of no importance in what medium his interest was paid. All of our different issues of money, being interconvertible at par, payment in any one of them has been accepted as a compliance with the contract to pay gold. But once let the impending silver standard be reached, and gold rise to 120 or thereabouts, and these thrifty people who are now so anxious to have their debts scaled down by act of Congress, will awake to the fact that they have been scaled *up* instead of *down*. We can imagine the maledictions of the "honest" granger lover of "cheap money" as he passes over one hundred and twenty dollars in silver to pay an instalment of one hundred dollars interest in gold.

If he were to be the only sufferer, it would be poetic justice, and might be the best policy, to let him thus find out for himself that honesty is the best policy. But, as you remark, the dangers and possibilities of disaster on all hands from a debasing of the currency are so serious that it may be worth while to offer an argument even to the cupidity of the dishonest.

HOWARD L. SMITH.

ST. PAUL, MINN., January 5, 1891.

A THIRD VIEW OF THE ITALIAN ELECTIONS.

TO THE EDITOR OF THE NATION:

SIR: Since our own memorable elections of last November, many politicians who naturally were educated to entertain optimistic views concerning elections have become reasonable, thoughtful, and public-spirited pessimists. The *Nation*, instead of losing time in vain jubilation, delighted its readers by a regular and well-tabulated synopsis of the ballot returns by States and even by Congressional districts. This comprehensive epitome of the respective votes cast in 1888-'90 has inspired many readers with a passion for statistics and a love of figures which your London and Roman correspondents have not satisfied, as far as the Italian elections are concerned. The cable had carried the news of the great Crispian victory to all parts of the civilized world, and this great victory is confirmed by private letters sent directly to the leading papers of this country. Were it not for the French and Italian papers, the lovers of arithmetic in political elections would have to believe implicitly all that is said and written concerning the immense popularity of Crispi and the corresponding stability of the Italian Government. As a matter of fact, correspondents and the subsidized organs of the Italian Government seem to be ashamed to quote figures.

Let us quote for them from the *Diritto* of Modena: In the city of Rome, out of a registered voting strength of 26,918, only 10,630 voted, and the Crispi candidate received just 6,677. In different parts of Italy, where the *non expedit* of the Pope is said not to have been carried out to the letter, the results of the elections are far from justifying your Roman correspondent in saying that "Bismarck governed a king, and Crispi governs a county." The total number of electors enrolled in 115 electoral colleges was 2,108,347; of these 1,060,328 abstained from voting. By these figures it will be seen that, even outside the city of Rome, one-half the voters indulged in the luxury of abstention, and took no part whatever in the election. The reasons for these abstentions will be given as soon as any one explains why the well-to-do, intelligent, and industrious citizens of America generally abstain from taking any part in politics.

AUGUSTIN COLMAR.

MALARIA.

TO THE EDITOR OF THE NATION:

SIR: At the close of his recent letter on "Felo de se," Mr. Fitzedward Hall comments on the use of *malaria* by Americans in conversation and in the newspapers, in such expressions as "he has *malaria*," or "he has caught *malaria*," and says: "Before this can be legitimate, *malaria* must, after the analogy of *cold*, come to mean a disease." If usage determines language, has not *malaria* already "come to mean a disease"? Or is 'Webster's International Dictionary' violating the first rule of a dictionary, that it should record, not make, usage, when to the usual definition of *malaria* it adds:

"2. (*Med.*) A morbid condition produced by exhalations from decaying vegetable matter in contact with moisture, giving rise to fever and ague and many other symptoms characterized by their tendency to recur at definite and usually uniform intervals."

Yours truly, F. L. P.

CAMBRIDGE, MASS.

[The 'Century Dictionary' does the same thing, and both may find some warrant in *medical* usage, though neither cites any example.—ED. NATION.]

"ENGLISH AS SHE IS WROTE."

TO THE EDITOR OF THE NATION:

SIR: The "Publication" following was copied from an official handbill posted last summer by the municipal authorities of Oberammergau, cautioning visitors in regard to the purchase of photographs purporting to be of the Passion Play of 1890. If not a "gem of mistranslation" like that printed in the *Nation* of the 18th ult., it is unquestionably a remarkable specimen of "English as she is wrote":

"PUBLICATION—PLAY OF PASSION, 1890. The Original Reception of play of this year are only those photographies which are made by the concessioned Institution of Art and Expenses, and have the common stamp of 1890. All other images which are sold are still of the years of 1880 and 1870.

"COMMONIAL ADMINISTRATION OF OBERAMMERGAU." D.

NEW BERN, N. C.

Notes.

To gratify the sudden interest awakened in the author, D. Appleton & Co. will issue a new edition of 'The Evolution of Man and Christianity,' for which the Rev. Howard MacQueary is now on trial ecclesiastically at Cleveland, O. Nothing daunted, Mr. MacQueary contributes a new preface in answer to his critics.

Howard Lockwood & Co. will begin publishing in April a 'Dictionary of Printing and Bookmaking,' by W. W. Pasko, librarian of the Typothetæ. It will be a royal octavo volume, in small type, and copiously illustrated. Besides the matter usually contained in such works, it will define the terms of bibliography, bookbinding, engraving, and bookselling, and will have a glossary of the corresponding printers' terms in German, French, and Italian.

Dr. Daniel G. Brinton has in press an ambitious work entitled 'The American Race: A Linguistic Classification and Ethnographic Description of the Native Tribes of North and South America.'

Mr. Jeremiah Curtin has just finished translating Sienkiewicz's 'The Deluge,' the first half of the second story in the historical cycle begun by 'With Fire and Sword,' of which Little, Brown & Co. have already published a second edition in two volumes.

Thomas Whittaker announces 'The Writers of the New Testament: Their Style and Characteristics,' by William Henry Simcox.

'Cornell University and Her Technical Courses: Mechanical, Electrical, and Civil Engineering' is the subject of an illustrated work which will shortly be issued by Frank C. Perkins, Ithaca, N. Y., almost in the style of a holiday publication.

Mr. William R. Thayer's 'Historical Sketch of Harvard University' has been put on sale with Charles H. Thurston, Harvard Square, Cambridge, Mass.

A new English version has been made of Gustav Freytag's 'Lost Manuscript,' and very handsomely issued in two solid volumes by the *Open Court* Publishing Co. of Chicago. The translation has been authorized, and seems to be competent and idiomatic, and on both accounts is calculated to give pleasure to readers scrupulous as to copyright and to literary merit.

'A Short History of Greece,' in 521 pages, by C. W. C. Oman (Longmans, Green & Co.), deserves the attention of teachers, and will be found in many respects a useful and excellent work. It compares in scope and extent with the 'Student's Smith,' but it closes with the Macedonian Conquest. The style is fresh and remarkably interesting, considering the unavoidable condensation of matter. It is full of those minute facts and touches which give life to a narrative; the young student will read it with ease, and will rise from it with clearer ideas on some topics than can be obtained from the respectable manual we have mentioned. The chapter on Spartan training and discipline is a good instance of lively and generally truthful coloring. Misprints, such as Chacion, p. 66, and προξένοι, p. 67 (for Cnacion and πρόξενοι), and some inconsistencies of spelling (Ceadas and Chæroneia) will easily be corrected. A more serious defect is the slight treatment of the period of Demosthenes and the

DEC 17 1906
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED
Reference Collection
Lee College Library
Baytown, Texas
WITHDRAWN

almost complete omission of literary history. Herodotus is often mentioned, but nothing is said of his life or his great work; Pindar, Æschylus, Aristophanes, and Lysias are not even mentioned. A book of so decided merit ought to be made more complete.

The humor of the Mummy volumes attempted in Germany with so much success a few years ago has quite evaporated in the 'Secrete Log Boke of Columbus' (Düsseldorf: F. Rangette & Sons; New York: Brentano's). It is simply absurd to find this log in *English* (for the American market); and all the imitation of water-soaked and shell and weed-encrusted leaves goes for nothing. Ingenuity seems wasted in such a cause, and one can but commiserate the librarian who is called upon to admit the stained and misshapen volume to his shelves, even with its box.

We confess a doubt whether the 'Seminary Notes on Recent Historical Literature,' forming Nos. xi.-xii. of the eighth series of Johns Hopkins University Studies in Historical and Political Science, were worth printing. As memoranda for fixing the students' own judgment they of course were valuable, and they tell something of contents; but as criticism they can have weight with hardly anybody besides the writers. A total absence of biographical topics is noticeable.

Mr. S. S. Rider, in his Providence 'Book Notes' for December 6, 1890, examines with damaging results an alleged oil portrait of Roger Williams, to which the date 1644 is assigned. "It exists, and is now owned in Boston," where Mr. Rider has recently inspected it. He pursues it through all its transfers, and ends by confronting two engravings from it, in Gammell's 'Life' and Benedict's 'History of the Baptists'—1846 and 1848, respectively—with the portrait of Franklin in Watson's 'Annals' for 1830. The similitude is striking.

The latest project of Cardinal Lavigerie for the redemption of the Sahara and the repression of the slave-trade is more practical than that in which he formerly advocated the formation of a "sacred gendarmerie," to be posted in stations on the great trade routes in the heart of the continent, and put an end to the traffic by force. This plan was abandoned, for various reasons, although more than a thousand men volunteered for the work. The energetic prelate, who has just rendered most signal service to the French Republic, did not relinquish the idea, however, but simply changed its form. He has called for men to form a Sahara Brotherhood, who are to devote themselves to industrial work rather than to military service. They are to go to places where wells have once existed, but have been deserted, reopen them and dig others where water can be found, and plant trees and fruit-gardens. With this occupation will be joined missionary work among the natives and active operations against the slave-stealers. Nearly two thousand men have offered to join the Brotherhood, of whom fifty have been accepted as a pioneer corps. They are to receive a thorough training for fifteen months at Biskra before they go upon their mission. This place, about one hundred and fifty miles south of Constantine, is admirably chosen for this purpose. It is in an oasis in the edge of the desert, famous for its date-palms and olive trees and fruit-gardens, as well as for the Acclimatization Garden established by the French Government some years ago. The Brothers are to serve a probation period of five years, and then enlist for life. The Pope has given his sanction to the project, having authorized a collection to be taken on Epiphany throughout the Catholic world to defray the initial expenses.

Apropos of the life of Fouquet, recently noticed by our Paris correspondent, and of the desirability of assured translation of works of a similar character, "W." inquires: "Why can there not be a club for the purpose, the books to be translated by a suitable person for pay, and the cost added to that of printing? I am sure, with the large number of public libraries that would join, that an edition of 500 copies could be placed. This would be a much better basis for a club than most book-publishing societies have."

Sharp eyes will have detected an important error of a date in our second notice of Messrs. Hay and Nicolay's Life of Lincoln. In paragraph (9) the year of the correspondence between Gen. Sherman and the President should be 1864, not 1863.

—Only a few months ago we had occasion to review most favorably Mr. Curtin's 'Myths and Folk-Lore of Ireland,' and already another valuable and interesting book of his demands notice. This time Mr. Curtin has sought his material among the Slavs and Magyars, and entitled his work 'Myths and Folk-Tales of the Russians, Western Slavs, and Magyars' (Boston: Little, Brown & Co.). The Russian tales, nineteen in number, are all taken from Afanasyeff's collection, well known to English readers by Ralston's admirable 'Russian Folk-Tales.' Mr. Curtin has wisely avoided reproducing the tales already translated by Ralston (with three exceptions: "The Footless and Blind Champions," p. 82, is Ralston, p. 246 of American edition; "Marya Morevna," p. 203, is Ralston, p. 97, and "Vasilissa the Cunning, and the Tsar of the Sea," p. 249, is Ralston, p. 130), although five are variants of tales given by him. The Western Slavic and Magyar tales are, so far as we know, new to English readers, and afford interesting material for comparison with the folk-tales of other lands. Very few have close parallels in Europe: "The Table, the Pack and the Bag," p. 295, is a variant of Grimm, No. 36, "The Wishing-Table, etc."; "The King of the Toads," p. 311, is a peculiar version of "The Story of the Fisherman" in the 'Thousand and One Nights,' ed. Lane, i., 69; "The Treacherous Brothers," p. 370, is a variant of Grimm, No. 122, "Donkey Cabbages"; "The Reed Maiden," p. 457, is a peculiar version of the widespread tale of "The Three Citrons" (see Crane's 'Italian Popular Tales,' p. 338), and "The Hedgehog, the Merchant, etc.," p. 517, is a combination of Grimm, No. 108, "Hans the Hedgehog," and the theme of "The Discarded Queen and her Exposed Children" (see Gonzenbach, 'Sicilianische Märchen,' No. 5, and Köhler's notes thereto). The other tales are not found as a whole, to our knowledge, in any other collections, but are made up of familar episodes, often strung together in a very confused manner. Indeed, both of Mr. Curtin's works afford confirmation of the theory held by some that, after all, there are no well-defined plots in fairy tales, but only a fortuitous congeries of incidents. Before this question can be decided, it will be necessary to wait for the completion of the arduous work undertaken by the English Folk-Lore Society of tabulating the contents of folk-tales. In the introduction, Mr. Curtin gives some very interesting American tales which throw much light upon the evolution of myths and folk-tales, and some account of the three peoples whose stories are translated in the text. The stories themselves are excellent, and, so far as we can judge, well translated. The handsome volume is worthy a prominent place on the shelves of the student of folk-lore, as well as in the library of the general reader.

—The city of Washington, with a population of nearly a quarter of a million, a very large portion of which consists of young persons engaged in the civil service of the Government, who have, strictly speaking, no homes, is utterly destitute of a municipal library or reading-room. Doctor Harris, the present Commissioner of Education, gravely informed a Northern audience, a year or two ago, that in Washington there were two days—an official day, which lasted from nine o'clock in the morning until four o'clock in the afternoon, and a social day, for pleasure and improvement, which lasted from nine o'clock in the morning until four o'clock in the afternoon. This was simply a grim way of saying that the masses in Washington have no opportunities for pleasure or instruction after the closing of the departments. The National Museum, the Congressional Library, the Smithsonian Institution, the Capitol itself are barred against the very class of the people who most need the instruction they afford, and who most earnestly wish to avail themselves of it. Lately the Corcoran Art Gallery has been opened on Friday evenings, and the attendance of thousands of respectable people of the city attests their appreciation of this kindness and their strong desire for intellectual and æsthetic recreation. An earnest effort is now being made by the *Evening Star* of Washington to bring within the reach of the working people of the city the thousands of books that stand unused on the dusty shelves of the departments. It advocates the establishment in the City Post-office, about to be built, of a free library and reading-room, to be furnished with such books as can be spared from the various Government libraries in Washington, to be supported by both Government and District appropriations, and to be accessible to the general public and to all the clerks in the departments. There can be no doubt that such a library would not only diminish ignorance and crime in the District of Columbia, but would add to the efficiency of the departmental employees and the comfort and pleasure of the public.

—The *Star's* inventory of these departmental libraries is noteworthy. The Department of State, as is well known, contains a precious collection of books relating to international law, history, biography, travel, etc., as well as the manuscripts of our early statesmen and the records of the Revolutionary war. Its library dates from the beginning of the Government, and has been steadily supported by Congress to this day. It comprises 52,600 volumes. The Treasury library receives very little aid from the appropriations. The Secretary awards about $500 a year from the contingent fund for the purchase of books; yet by donation and exchanges the librarian has been enabled to secure 21,000 volumes, of which 5,000 constitute a miscellaneous collection for the use of the clerks in general. The War Department, though given no money expressly for the purchase of books, possesses an admirable collection of works on military science and American history, and is especially rich in literature relating to the recent war of the rebellion. Its books number 28,500; those of a lighter sort, constituting its "circulating" library, amounting to about 5,000. A catalogue of the Navy library is now in the hands of the Public Printer. It will record the titles of 23,312 volumes, nearly altogether of a technical character.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Congress gives this library $1,000 a year, to which the Secretary adds from his "miscellaneous fund" the sum of $2,000. The Post-office Department cannot boast of a library comparable with these mentioned. A few works of reference have, however, been bought from time to time by this Department, with the sanction of Congress, but there has been no annual appropriation for its library. Still, it has collected about 10,000 volumes, many of them valuable. The Interior Department not only has a large library, and the largest one of a circulating character, but some of its bureaus have important collections of their own. It owns a great many works of fiction, of poetry, and of biography. The librarian lends to the employees about 300 volumes daily. The library, which only dates from 1850, and which has been supported by a very modest appropriation ($500) for the last fifteen years, now reckons 10,000 books. The library of the Patent Office is celebrated. Begun in 1836, it received at first no important or regular support from Congress. An appropriation of $5,000 in 1879 was reduced in 1885 to $3,000, which is now its main dependence. About $1,500 a year is needed for subscriptions to the domestic and foreign mechanical periodicals. It has at present 60,000 volumes. Another scientific library belonging to this Department is found in the office of the Geological Survey, which owes its growth chiefly to donations and exchanges, though a small sum is devoted to the purchase of books. Its volumes number 28,000, and pamphlets 35,000. Another bureau of the Interior Department—that of Education—has a good working library of 20,000 volumes and 50,000 pamphlets. To Caleb Cushing we owe the formation of the excellent legal library of the Department of Justice. It is said that he sent to Mexico for a collection of law books useful in the controversy concerning California land cases. This formed the nucleus of what is now a library of 20,000 volumes. Congress grants $2,500 annually for the purchase of new books for this Department. The Department of Agriculture, it is thought, contains the most complete collection of books relating to agriculture to be found in this country. It numbers 22,000 volumes, nearly all technical, with an annual addition of about 7,000, for which purpose it is given $3,000. The Department of Labor, lately created, already owns 5,000 books, forming an excellent working library. The sum of $1,000 is granted to this department every year with which to buy books. Mr. Carroll D. Wright, Chief of the Department, urged the opening of this library at night, in order that a beginning might be made of a large free reading-room and circulating library in Washington.

—Niels W. Gade, whose death was announced two weeks ago, was without doubt the best known of Denmark's many composers. Indeed, he was the only Danish composer who won any great popularity in this country and in England. His overtures and cantatas have frequently been produced outside of Denmark, while his concerted pieces are universally recognized as being of the highest order. His songs, however, are less familiar to foreign audiences, and yet in these his genius displays itself perhaps more fully than in his more pretentious works. The Scandinavians have always been known as a song-loving people. Kjerulf and Grieg in Norway; Pacius and Crusell in Sweden; Heise, Weyse, Rung, and Hartmann in Denmark, have won their greatest fame through their songs, and the same is true to a certain extent of Gade. In his songs Gade shows less the influence of Mendelssohn and Schumann; his Northern nature seems to respond to the simple words of his native poetry. "Oluf's Ballad" and "Knud Lavard" are thoroughly Scandinavian in conception, full of the dramatic force of the old ballad. Gade's rendering of Hauch's Polish National Song, too, is fine. And yet these three songs, so popular in Denmark as to be almost hackneyed, have probably never been produced in this country. Gade's greatest work at home, however, was as a leader of musical culture. He occupied in the hearts of his countrymen very much the position held by Theodore Thomas in New York and Brooklyn, as a musical reformer of the best kind. The present state of musical culture in Denmark is in the main due to his untiring efforts. In 1850, two years after his return from Germany, Gade became conductor of the Musical Union, and in 1865 he was appointed Director of the new Conservatory of Music, both which positions he held at the time of his death. Gade died, as he lived, in full activity. On Sunday he played the organ in Holmen's Church as usual; the next evening he was dead.

ADAMS'S DANA.

Richard Henry Dana: A Biography. By Charles Francis Adams. 2 vols. Boston: Houghton, Mifflin & Co.

"Often have I meditated within myself," says an old English writer, "as to what manner of death I would wish to die. *None pleaseth me.*" Probably a man would find it as hard to select for himself a biographer as a mode of death, and some men have died comforting themselves in the hope that the biographer was the more avoidable calamity of the two. Be this as it may, it is certain that Mr. Dana might have fared far worse than to pass through the hands of Mr. Adams. On the whole, he keeps, as a biographer, higher laws than he breaks; and while it would be hard to find a man less fitted, by personal temperament, to measure accurately Mr. Dana's peculiar combinations of strength and weakness, yet he atones for this defect, as it were, by sheer force, by sturdy appreciation of the main quality and service of Dana's life; and by disdaining to withhold any unfavorable lights or to apologize in any way for what was, in its total, an honorable and high-minded career. That it was in some respects *une carrière manquée* is frankly recognized, though there is no fineness of analysis really brought to bear upon the reason why it was so. A lawyer is never quite a hero to his junior partner, and if that junior partner has, fortunately for himself, a temperament less highly wrought or finely strung than his chief's, so much the better, perhaps, for him. Mr. Adams's very inability to reach the finer stops of Dana's nature makes his applause all the more valuable when he says of the one great and memorable act of Dana's life—his defence of the fugitive-slave cases—that it was "simply superb." Whatever shortcomings may be found in the book, in any other direction, those two words leave a balance in the biographer's favor. At the one essential point in the measure he has struck with firm hand the true note.

There is a story of the elder Dana—not Francis, the grandfather, but Richard, the poet-father—which to some extent prefigures the career of the subject of Mr. Adams's biography. Being invited in later life to lecture on Shakspere in some manufacturing town, he read with quiet dignity a lecture that had once received universal praise. A good many people, however, went out, so that, pausing at last, he quietly said that he would sit down for a few minutes, and those who wished could withdraw. When he rose again, a bare handful remained as his audience; but he composedly finished his lecture and never addressed a popular assembly again. No man ever began life with more promise than the younger Dana; up to a certain point he seemed to carry all before him, to have the heights of professional fame or of public life within easy reach, when all at once his audience fell off and his career ended. No one has ever yet made it clear how this happened; we can only say that there was something in the blood, that it was somehow hereditary.

Yet Dana is surer to be remembered than most of the minor figures of the great anti-slavery period, because there was a certain quality of picturesqueness about the man and his career; and nothing lasts better in history, on the whole, than the picturesque. Henri de La Rochejacquelein has a surer place in French revolutionary annals than many field-marshals, and Col. Robert G. Shaw than many great generals in the record of our civil war. There were unique combinations in Dana: he was an aristocrat before the mast, a haughty and humble Christian. In England he rejoiced in the abandonment of "the aristocratic distinction of the manor pew" (Adams, ii., 76, 91); yet he practically spent his life in such a pew, and never could quite find his way to the handle of the door. In Washington he records with delight the information that the Unitarian church near by has a very thin congregation (i., 109); yet he heartily admired Theodore Parker, thought his sermon on Webster the best tribute paid to that great man (i., 226), and favored Parker's election as an honorary member of the Harvard Phi Beta Kappa—though this is not in Mr. Adams's book—on the ground that he was no further from the truth than most of the members of the society, or than Dr. Franklin, its supposed founder. No man of his time could state with equal lucidity or equal compactness, either before a popular audience or in a court-room, any argument involving a principle; and he kept himself in touch with his audience, although, it must be owned, with the very tips of his fingers. He was practically the leader of the State Constitutional Convention, his most important public function; and his habitual hauteur did not prevent him from rating highly and even overrating his less regularly trained associates; as, for instance, Mr. Boutwell (i., 244). He was sometimes wrong, as when he regretted the election of Lincoln as "an unutterable calamity" (ii., 265), and opposed the Proclamation of Emancipation (ii., 263–4); but he was uniformly truthful, courageous, and honorable. *Noblesse oblige* was not a phrase with him, but was ingrain; and he could, moreover, put his hand with wonderful precision on the foibles he could not conquer. He says of his own relations with Judge Clifford: "I fear I treated him too much as I felt towards him, as has been too much my way with people, and which is not Christian nor wise, and has in it a certain element of self-sufficiency which we think is courage and due pride" (ii., 326). There is a note of rare distinction in such a self-criticism as that; and nothing that his biographer has said gives us so much by way of a clue to the final diminution of Dana's audience.

Mr. Adams has done well to produce so much of Dana's diary, which is astonishingly full and almost invariably worth printing. The European part occupies a good deal of space, but it is always interesting to watch the career of a cultivated American of forty who visits the mother-country for the first time,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and finds himself perfectly at home among dukes and earls. As Judge Story's fame had prepared the way for Sumner in England, so Sumner's letters opened the path for Dana. He was known to all younger people as the author of 'Two Years Before the Mast,' and to all older ones—for it was then the anti-slavery period of English society—as the defender of fugitive slaves. His own fine appearance and manners did the rest, and certainly no unofficial American ever had in England four weeks of career so brilliant. Mr. Adams's editing of the diary is excellent, except in the insertion of a few needless passages reflecting on the living, and a few errors in the notes, as when he assigns Robert Morris, the first colored lawyer in Boston, to Charles G. Loring instead of to Ellis Gray Loring as a pupil (i., 210). He has described in a most graphic way all his own personal relations with Dana, and has given his own private whims but little prominence, although he cannot resist firing his little shot at his old enemies, the classics (ii., 149), and has curiously blundered in charging Prof. E. T. Channing with the gift of suppressing enthusiasm for English literature among his pupils (i., 24), in view of the very obvious fact that Channing trained more professional authors, high or low, than any half-dozen other professors in the country. Mr. Adams's attempt to find an analogy between Dana and his own great-grandfather can hardly fail to excite a smile, so obviously did the two men differ in temperament (i., 131), but any such personal opinion may well be allowed to pass unnoticed in view of the thorough way in which the biographer has handled the once vexed question of Mr. Dana's alleged infringement of the Lawrence-Wheaton copyright. On the whole, a real debt of gratitude is due to Mr. Adams for preserving, and in the main skilfully, the portraiture of a high-minded and most interesting man, who had the fortune to be a leading figure in important events and at a transitional period.

THE ICELANDIC DISCOVERY OF AMERICA.

The Finding of Wineland the Good: The History of the Icelandic Discovery of America. Edited and translated from the earliest records by Arthur Middleton Reeves. With phototype plates of the vellum MSS. of the Sagas. London: Henry Frowde.

By the consensus of geographers, Greenland, whether it be an island or a peninsula, forms a part of the Western Hemisphere. In discovering Greenland, the Icelanders of the tenth century, therefore, discovered America; and that they not only discovered Greenland, but colonized it, is an historical fact not merely depending for its authenticity upon the evidence of written narratives, but indisputably attested by the many ruins of churches and dwellings yet standing—a sort of Arctic Pompei—along the fjords of the Western coast, and by the runic stones and other objects belonging to European civilization, which have been exhumed in the vicinity of these long-deserted hamlets. Their familiarity with the similar coast lines of Iceland and Norway enabled the earliest settlers to select the fairest sites on the mildest section of the Greenlandic seaboard—that which stretches from Cape Farewell upwards towards the waters of Davis Strait. It is a region looking to the southwest, facing that continental mainland which was then awaiting its discoverer, and is deeply indented by firths and overtopped by mountains. In the grassy valleys, dotted with occasional patches of birch and willow shrubs, and traversed by streamlets rich in fish, at the heads of the deep and narrow fjords, the adventurous emigrants—men hardened by an arduous existence on Arctic soil and habituated to the turbulence of an oligarchic republic—created a miniature Iceland. They acquired possession of the unreclaimed domain, and apportioned it, exactly as their Norse forefathers, a hundred years before, had impropriated the dales and bottom lands of Iceland.

Like the home country, the colony soon possessed its isolated farmsteads (*bœir*), around which numerous outhouses clustered, its little churches and chapels, its low-walled convents, and its modest cathedral, all built, in this new territory, of stone, for Greenland was still further than Iceland from the fir forests of Norway. It had its annual althing, or general assembly of the people, its presiding lawman (*lögmadur*), and its shiremen (*syslumenn*). It had, too, like its prototype, its sagamen and its skalds, for one of the songs in that wonderful collection of mythopoems, the elder Edda (the 'Atlamál hin grœnlenzku') had its origin among these Icelandic Americans. Family feuds and vendettas, like those described in the 'Njáls Saga,' were not wanting, and the warring chiefs of Iceland sometimes pursued their defeated and fugitive rivals to the harbors of Greenland. Cattle, and sheep, and goats the colonists—the first party landed from fourteen ships—brought with them; while fresh-water and salt-water fish, the abundant seals, walruses, and whales, the polar bears, the occasional reindeer, and the flocks of wild fowl furnished them with products for consumption or exportation. Communication with Iceland was frequent; for the earliest colonists had been wont, all their lives, to brave the polar winds and waves in barks scarcely equalling in size the galleys which, in that day, crossed the comparatively placid Mediterranean; and to men who made light of the 600 miles of tempestuous seas which intervene between Iceland and Norway, the 200 miles which separate Iceland from Greenland was no formidable distance. As the colony grew older, Greenlandic priests and well-to-do yeoman visited, in the milder summers, the remote Nidaros (Tronyem), then the Norwegian capital and the seat of the primate of the North, bearing with them for sale the products of the little republic, or the tribute—tithes and Peter's pence—for the civil and ecclesiastical authorities.

The fate of this Icelandic colony is one of the insoluble problems of history. It is useless to consider whether it owed its final destruction to the irruptions of the Eskimos (*skrœlingar*), who made their appearance in the Icelandic portions of Greenland in the fourteenth century, to the attacks of English, Dutch, or Hanseatic freebooters, to the ravages of pestilence, to the enforced neglect of the mother country—itself during the fifteenth century too often in sore straits—to the iniquitous restrictions on commerce imposed by the Government of Norway, or to a combination of several of these evils. Its annals extend from the last years of the tenth century to near the middle of the fifteenth—a period longer than that which has elapsed since the rediscovery of the western continent by the Spaniards; its last definitely attested event was a marriage which took place within its limits in 1409; its line of bishops, nominated by the Popes, embraces the names of a score of prelates.

Iceland, when its only colony disappeared, had long ceased to govern itself, and the old commonwealth had lost, with many other rights and liberties, the power to initiate commercial and maritime ventures; while the Dano-Norwegian monarchy, occupied with foreign wars and impeded by the mercantile rivalry, first of England and then of the Hanse cities, was not always able to maintain its trade even with Iceland. The Greenlandic settlement was, however, never completely forgotten. During the reigns of the earliest Oldenburg monarchs, expeditions were planned at Copenhagen and Bergen for the reopening of commercial intercourse, but it is not certain that these plans resulted in actual effort until the days of Frederick II. (1579). From that date almost every generation witnessed the sailing of exploring vessels to Greenland, but an unfortunate geographical blunder prevented the discovery of any trace of the lost colony. The two shires of the Icelandic settlement, separated from each other by a considerable extent of coast, were known as the Eastern (the "Eystribygd") and the Western (the "Vestribygd"); of these the former was nearer to Iceland and was the more populous and prosperous, including at least twelve parishes, and containing the cathedral village (Gardar), which was also the secular capital; while it was known that the latter had been laid waste by the Eskimos as early as 1379. The Danes consequently directed their efforts to the refinding of the "Eystribygd," but, misled by its name, they sought for it on the bleak and ice-bound eastern coast of Greenland. Although the missionary, Hans Egede, with whom the modern recolonization began (1721), discovered in the west not a few of the ruined structures of the old Icelandic inhabitants, the error in regard to the position of the eastern shire was not dispelled until after the exploring expedition of Capt. Graah (1828-30). Since then, although the Danish Royal Society of Antiquaries has been instrumental in identifying and investigating many of the sites mentioned in the sagas, no little remains to be done in this archæological field before all the attainable facts in regard to the earliest successful settlement in America can be recorded.

From under the shadows of the mountains which looked down upon this remotest outpost of European civilization sailed those fearless navigators who, first of all the Caucasian race, set foot on the American mainland. Their experiences, like all the important incidents in the story of the Icelandic commonwealth, are narrated in more than one special saga, and the names they gave to the shores they discovered are frequently cited in the general saga literature, and still linger in the popular lore and legendary ballads of the north. Reports of the strange finds in the west reached even central Europe, and are chronicled by Adam of Bremen as early as 1070. Portions of the sagas narrating the events of the voyages were inserted in the edition of Snorri Sturluson's 'Heimskringla,' published by the learned Swede, Johan Peringskjöld (1697), but the accounts of all the expeditions and settlements to the west of the Icelandic seas were first fully and intelligently treated by the Icelander, Thormódur Torfason (Torfæus), in his 'Historia Vinlandiæ Antiquæ' (1705) and his 'Gronlandia Antiqua' (1706). These two works are virtually Latin paraphrases of the American sagas, with comments, in which no untenable claims are advanced and no fanciful conjectures hazarded. Until recently they were the only trustworthy treatises at the service of the historical investigator—despite the absence from their pages of the original texts—but were not easily met with outside of Scandinavia. In 1837 Professor Charles Christian Rafn, as Secretary of the Royal Society of Northern Antiquaries (*Oldskriftselskab*), published at Copenhagen a

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

bulky quarto, the 'Antiquitates Americanæ,' with the intent of bringing together all that the old literature offers concerning the ante-Columbian voyages of the Icelanders—an idea probably suggested by the successful explorations of Graah.

Rafn, an admirable character in many respects, can hardly be called a great scholar, but he was one of those practical and persistent men—rarer, perhaps, than scholars, and sometimes more useful—who possess the capacity of making their conceptions successes. He had organized, almost without assistance, the Society of Antiquaries; he continued to labor for it throughout his life; and he was able, before his death, to accumulate for it a large endowment. He was quick to see that a complete narrative of the Icelandic achievements in the Western seas would be of interest to two worlds, and would greatly extend the fame of the society. He associated with him the widely known Icelander, Finnur Magnússon (Magnusen), a scholar of varied learning, but not always of sound judgment, possessing a good deal more than the traditional fancy and enthusiasm of the antiquary. In his search for the lands visited by the old voyagers, Rafn put himself into communication with members of one of the New England historical societies, from whom he received much topographical information, together with drawings of the so-called "Dighton Rock," near Taunton, Mass., bearing some unmistakably Indian *graffiti*. In these scratchings Finnur Magnússon, later on, found an Icelandic inscription, in which he read the name of one of the explorers (Thorfinn), and, still later, by the same over-zealousness, the "Old Mill" at Newport was metamorphosed into a tenth-century Norse baptistry. The 'Antiquitates,' when finally issued, with its Icelandic texts, accompanied by versions in Danish and Latin, its summaries in French and English, its facsimiles of the old manuscripts, its plates of ruined Greenlandic edifices and Runic inscriptions, its various views of the Dighton Rock, created much sensation in the learned and curious world. Its ponderous and polyglot erudition was indeed overawing to the mind of the amateur investigator. It was, moreover, well advertised. Rafn's diligent cleverness taught him the proper way of making the book, and the society, speedily known. Abstracts of the work, prepared by him, were translated by scholars of more or less note (many of whom did not object to add to their other titles that of "Member of the Royal Society of Northern Antiquaries") into all the languages of Europe.

But nowhere was the volume received with a greater display of interest than in New England, which suddenly found itself discovered six centuries before the landing of the Pilgrims, and able to dispense altogether with the services of Columbus. More than one descendant of the Puritans found this added heroic period of history too great a burden for silence. The appearance of the 'Antiquitates' presently gave rise to a multitudinous literature of books and booklets, articles in reviews and magazines, and papers in the proceedings of historical societies. In most of these a prodigious play of the imagination, unrestrained by any knowledge of the subject treated, invested "the discovery of New England in the tenth century" with incidents and episodes too unsubstantial even for the fertile fancy of Copenhagen antiquaries. Never did New Englanders "guess" so freely. The impression produced by the Danish publication has finally culminated in the erection of a statue of Leifur Eiríksson—and there is certainly no earthly reason why Boston should not adorn itself with the simulacrum of that sturdy Icelandic sailor—and in the finding, near the Massachusetts coast, of the site of at least one Old-Norse city. In this devastated metropolis, as we are told, are still visible the vestiges of an amphitheatre, of terraced courts, of a system of canals and docks—features so preëminently characteristic of a Norse city in the early Middle Ages. Other devotees of Rafn have even manifested an iconoclastic willingness to trample on the memory of Columbus, because he had the hardihood to rediscover America after his Northern predecessors had abandoned it—perhaps wisely—to a continued barbarism. Some are inclined to condemn the Latin language and literature for the reason that the Genoese sprang from the Latin race, and to cast contumely on the Catholic Church, for the reason that he believed in its teachings. All true Winelanders ought to practise the speech of Leifur and profess the Odinic religion of Eric the Red. One ardent writer appears to suspect that the Pope, whose precursors held relations with the see of Gardar, is keeping under lock and key, in the library of the Vatican, the documents which incontestably prove the success of the Greenlandic explorations, with the view of ultimately canonizing the unsaintly Columbus. In truth no literature, of so limited an extent, offers such diversified entertainment as the "pre-Columbian" literature of America.

The assumptions in regard to the Dighton Rock and the Newport Mill were easily disposed of by the investigations of more discriminating students. But although an occasional critic demurred to one or another statement made in the 'Antiquitates Americanæ' and the works based upon it, no systematic correction of their errors appeared until within the last three years. That thorough Norwegian scholar, Gustav Storm, published, first in Danish, in the *Aarböger* of the Society of Northern Antiquaries (1887), and then in an excellent English version in the *Mémoires* of the Society, his admirable 'Studies on the Vinland Voyages.' He begins with the declaration of the voyagers as to the length of the shortest day of the year in Wineland, or what Rafn styles the "astronomical evidence." Availing himself of the aid of modern astronomical science, he confutes the serious errors of Finnur Magnússon, and of some earlier scholars, in their interpretation of the old Icelandic method of marking the divisions of the day—an interpretation failing to ascribe their true significance to the words *dagmál* and *eykt*. The result establishes the fact that the "astronomical evidence" can only be relied upon to prove that the explorers from Greenland went at least as far south as latitude 49° N., and does not demonstrate that they reached the latitude of Narragansett Bay. In a similar way he deals with the distances estimated by day's sails, basing his calculations on the true meaning of the old Icelandic term *dögr*, which is "day *or* night," and "not *twenty four hours*, as Rafn and others have made out, to bolster up the story." He then goes on to criticise the comparative trustworthiness of the 'Saga of Eric the Red,' and the 'Grænlendingaþáttr'—the two earliest documents which relate the story of the explorations; then examines the oldest maps which give the positions of the discovered tracts; considers the fauna and flora of Wineland as portrayed by the returned voyagers; scrutinizes the particulars recorded in regard to the natives encountered by the Northmen; and analyzes the words of their language cited in the sagas. These last, without insisting on his opinion, he is inclined to assign to the vocabulary of the now exterminated Beothuk Indians.

The conclusions reached by Prof. Storm are that, of the three regions visited by the expeditions, Helluland coincides with Labrador, Markland with Newfoundland, and Wineland with Nova Scotia and the island of Cape Breton. There is little doubt that these determinations are reasonably correct; but, be that as it may, this careful sifting of the texts and the collateral testimony renders it certain that no part of New England can be regarded as the site of the Icelanders' Wineland. Thus Rhode Island loses its age of fable, and can participate, without any scruples of conscience, in the celebration at Chicago of the fourth centenary of Christopher Columbus.

The sumptuous work of Mr. Reeves, so happily entitled, is pretty surely, at any rate as far as the Scandinavian sources of information are concerned, the final word on this important and fascinating theme. It will put an end, it may be hoped, both to the crude speculations of archæological sciolists and to the unbelief which those speculations have aroused in the minds of many rational readers of history. Its author fully equipped himself for the task he has performed so well by a sojourn of several months in Iceland, and by thorough studies and researches during various periods of residence in Copenhagen. In his renderings of Icelandic prose he is free from the faults of most preceding translators; he reproduces the homely charm, the briskness, the story-telling movement of the saga diction without too greatly affecting the use of semi-archaic words. His treatment of all the documentary evidence is clear and critical, and is accompanied by a copious citation of authorities; his method is strictly historical, and he is singularly cautious in refraining from hypothetical conceits—in fact, he draws no conclusions as to the precise site of Wineland, but with judicial reserve leaves the geographical verdict with those who weigh the results of his painstaking erudition. He supplements the astronomical work of Prof. Storm by additional computations made at the Washington Naval Observatory. His chapter on "Notices of Doubtful Value" sweeps away many older and later errors, and that on "The Publication of the Discovery" is full of bibliographical interest.

But beyond all these excellences the volume has one unique merit, involving even greater care and capacity, and constituting an inestimable boon to scholars and investigators. By an improved phototypic process, here used for the first time, Mr. Reeves reproduces, in fifty-five facsimiles, every page of the sagas of Eric the Red and of Thorfinn Karlsefni, as well as of the 'Grænlendingaþáttr,' from the earliest codices. An ingenious arrangement gives, facing each plate, the printed Icelandic text, line for line, with the signs and abbreviations written out, so that every word and character may be scrutinizingly studied. Palæographers will rejoice at the marvellous accuracy of the novel process, which is shortly to be applied to the manifolding of the vellum 'Codex Regius' of Copenhagen, the oldest manuscript of the 'Sæmundar Edda'; and book-lovers will be charmed alike with the beautiful typography of the Clarendon Press and the exquisite taste of the parchment binding. The notes, philological, ethnological, historical, and geographical, with which, and with complete indices, the work closes, are of the utmost value, and show the wide and exact learning of their compiler. No library, public or private, pretending to possess even the sim-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

plest apparatus for the study of the history of the New World, can dispense with this delightful volume.

RECENT LAW BOOKS.

'The Supreme Court of the United States: Its History and Influence in our Constitutional System,' by Mr. Westel W. Willoughby (Baltimore: The Johns Hopkins Press), is issued as extra volume vii. in the Johns Hopkins University Studies in Historical and Political Science. This sketch is commendable as a doctor's thesis, having been compiled with care and accuracy; but the author has not fully appreciated the magnitude of his subject. In an essay of only 115 pages a subject cannot be adequately treated which includes virtually all of the constitutional law of the United States, and inadequacy of treatment renders the work nearly useless. It contains nothing original, and does not fully cover any single branch of its vast subject.

Although the essay is too meagre to call for detailed criticism, it is interesting as another symptom of that curious endemic which has recently attacked American writers with great violence. This fashionable disease consists in disparaging the Federal Constitution as a whole—abandoning what Von Holst calls the "canonization" of the Constitution—and adopting the cult of the Supreme Court. It has been produced largely by the recent writings of non-resident foreigners, like Profs. Von Holst and Bryce and Sir Henry Maine, who are excusable for exaggerating the importance of peculiar institutions. The fact is, that the Supreme Court has simply borne its share of the successes and failures of the general scheme of our Government. It has certainly not enjoyed any immunity from error, and it is very doubtful whether the court has been more successful in performing its functions than any other one of the great departments. Mr. Willoughby says that "by this article [of the Constitution] we see finally created what has proved probably the best working branch of our Government." This is certainly untrue at the present time. Just now it is not the "best working branch"; it is probably the worst. It is overwhelmed by its business, and the delay in reaching cases amounts to a practical denial of justice. This is not a novel condition of affairs, nor is it even the principal charge which may be brought against the court as an institution of our Government. Its decisions, aside from political questions, have not always commanded the respect of the bar or the community, and its commands have been ignored by the Federal departments, by the President, and, even in time of peace, by several of the States.

In no book in general use are the glories of this court more apparent than in Judge Cooley's famous work, which is commonly known as the 'Constitutional Limitations.' The sixth edition of this standard treatise has just appeared (Boston: Little, Brown & Co.), having been edited by Mr. Alexis C. Angell of Detroit. Judge Cooley states in the preface to the new edition that his official duties have put it out of his power to perform in person the necessary labor of revision, but that Mr. Angell has "examined all the new cases, making use of them so far as seems important, and adding to the references till the whole number now reaches over ten thousand. Where it seemed necessary, the text has been changed and added to." Judge Cooley enjoys the distinction, which is shared by only one or two other living writers, of having written a book which is referred to and recognized by the courts and bar as possessing almost as much authority as the decisions themselves. It is, therefore, no longer open to criticism in the ordinary way. A whole generation of lawyers has approved its merits, and the only remaining question is, whether the new edition has been carefully and thoroughly prepared. So far as can be ascertained by testing the references here and there, the editor seems to have performed his work successfully.

One of the principal merits of this book is the fact that the authorities are cited with the most painstaking accuracy, and the editor seems to have emulated Judge Cooley's example; but it is not correct to say that the case of People vs. Gillson (109 N. Y., 389) supports the doctrine that "sales of food of which prizes or gifts are part of the inducement may be forbidden." That well-known case establishes precisely the contrary. "Gift-sales" may not be forbidden by law in New York. The only important omissions which we have noted in a somewhat careful examination of this edition are the Bible in the Public Schools case (State vs. District School Board of Edgerton), where the Court held that, under the Wisconsin Constitution, the reading of the Bible in the public schools is unlawful; the Mormon Church case (136 U. S., 1), where the Supreme Court decided that Congress has power to confiscate the property of the Mormon Church in Utah; and the Idaho Test Oath case (Davis vs. Beason, 133 U. S., 333), in which the disfranchisement of citizens in Idaho on the ground of membership in the Mormon Church was upheld by the Supreme Court. The editor doubtless omitted the last two cases intentionally, under the impression that they were not within the scope of this treatise; but Judge Cooley has discussed questions relating to the Territories at page 37, and these cases should have been cited at that point.

The author seldom attempts to reconcile conflicting cases, and very seldom expresses his own views. He does venture, however, in a very guarded way, to point out the evil results arising from the Dartmouth College case. He says that "it is under the protection of this decision that the most enormous and threatening powers in our country have been created, some of the great and wealthy corporations actually having greater influence in the country at large and upon the legislation of the country than the States to which they owe their corporate existence." An outburst of this kind is of very little value in a legal treatise. The author deviates from his rule also in his statement of the famous grain-elevator case of Munn vs. Illinois, and endeavors to ascertain the legal signification of the phrase "affected with a public interest." He enumerates four classes of business which in his opinion may fall within the rule. Curiously enough, not one of these classes would include the very case on which the whole doctrine rests.

EARLE'S ENGLISH PROSE.

English Prose: Its Elements, History, and Usage. By John Earle, M.A. G. P. Putnam's Sons. 1891.

Mr. Earle has written a unique work, of great value to writers who desire to form a good English style in the structural sense. He has the advantage of a very wide and thorough knowledge of the language in its successive historical stages, and he brings his learning to bear with an effect quite beyond writers on rhetoric. It is inevitable, perhaps, that he should overweight his matter (in our judgment) with philology in some passages which have only an episodical relation to his subject; but the work gains so much from his knowledge of words and construction, and his excellent discrimination in the grammar of different styles, that the student easily bears with the occasional philological lecture, which is in itself always instructive and interesting. A marked characteristic of the book is an abundance of quotation, and these extracts from all sorts of writers and every age are singularly excellent in matter and usually worth reading on their own account. Mr. Earle is prone, too, to discussion of questions which, if touched upon by rhetoricians, are seldom well treated. The volume is, in fact, full of various thought, conservative, well balanced, and sound in conclusion.

The author begins with the vocabulary, which he treats historically as native English, Romanic, and Latin; passes on to a treatise on grammar which is singularly forcible, and not more revolutionary than there is need of; examines the common characteristics of style—lucidity, variety, and euphony—but with nothing of the tediousness and perfunctory repetition of commonplace usually found in such chapters; explains what idiom is, speaks of style as the habit of an author's mind, and winds up with a novel and excellent history of the development of English prose through a thousand years. From a work so comprehensive and varied we can here extract but little, merely to serve as a sample, and we can touch upon only a few of the topics which the author treats episodically, but which are a main attraction of his pages.

He looks upon grammar as the logic of thought, and from that point of view analyzes the parts of speech and the linking of them together. The more quotable portions of this admirable exposition have to do with special words and usages. He especially reprehends the practice of despatching words by labelling them, as where he says that not every *a* is an indefinite article [two men of a mind] nor every *the* a definite article [the more the merrier]. He does not discard the double genitive, "the picture of the king's," nor does he decide against placing the adverb or phrase between the sign of the infinitive and the verb in all cases; he observes that, although the practice is new and growing common and is usually unnecessary, yet when the verb is active and draws after it a long object-clause, there is a gain in so putting the adverb, rather than after the clause, in case it cannot conveniently go before the *to*, and in this he is clearly right in the instances given. The tendency to give the modifying phrase before the main statement, in order that the reader may not have to correct the idea after having received it in an unlimited form, is also obeyed by this habit. The change may be looked on as a natural and useful development, and the practice as one to be employed or not according as it makes the sense easier without awkwardness, or contributes to euphony or to proper emphasis. Another mooted matter in which Mr. Earle decides against the pedagogue is in sustaining the use of the separable particle at the end of the sentence, as in "the man whom I was talking with." This usage is the English idiom, and the newer form, "with whom," is a French importation and more accepted only because it is a later fashion. Dryden first attempted the reform; but the old way is often to be preferred for naturalness and grace.

The remarks made upon the pronouns, especially the relatives, are too various to extract, but they are all to the point, and contain excellent suggestions, as obscurity and awkwardness lie more in them than in any other part of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED.

a sentence. The defence of *but* as an adverb, the long plea for the subjunctive mood both as a help to meaning and to dignity, the discussion of the Saxon genitive in *s* and the French with *of*, the remarks on *they* as a demonstrative, and the frequent references to the results in language of the encroachment of the passive on the active verb, are instances of the scope and character of the entire treatment of the grammatical and idiomatic sections. Mr. Earle defends idiom, though not without a perception of some of its disadvantages much more than compensated for by its gain; and though he says a day may come, and may not be far distant, when there shall arise "a new world-English which will bear the same relation to vernacular English as Hellenistic Greek bore to that which flourished upon Hellenic soil," we hope that the diction of our Polybiuses will be much longer in coming.

In the less technical part the author raises the question about poetical prose among the first. He warns the young writer that as prose is fed by poetry in diction, and as there is an excitement of the mind in its first effort which naturally induces a heightened language, he should be especially careful to avoid poetical phrase; but he adds the excellent advice that the reading of poetry is the best resource of one who would write prose well. He goes further than this, and opposes Mr. Masson, for example, who in praising De Quincey would have us believe that poetry is only a heightened form of prose, so that prose may approach poetry without ceasing to be itself. Mr. Earle agrees with Coleridge and Arnold that poetry is organically different from prose, has a different logic and evolution. He says well that though in early ages the two were confused, this very confusion is a sign of immaturity. The necessity of observing the distinction between the two is, he says, "characteristic of mature and well-developed literature when this separation is firmly established and universally understood." The same confusion of the two is noticeable in the decay of literature. "The prose of the whole silver age, from Tacitus down to Boëthius, is deeply tinctured with manifest poetry. The great prose author of the eighth century is our Venerable Bede; he is in every respect the best writer of those ages; but even he, when he warms with his subject, is apt to import whole phrases of Virgil," and Mr. Earle adds the reason for this: "The cause is manifest; it belongs to the immortality of poetry. Prose is essentially a thing of the present; poetry is for all time. In times of literary decay there are no prose models; those who have literature at all have it from the old poets." In connection with this decision against poetical prose, we add the acute criticism of Carlyle's 'French Revolution': "Teeming as Carlyle's diction is with poetic elements, the diction is not poetic; the whole work may indeed be thought of as an epic poem, but the diction hardly ever takes a poetic flight. We may call it wild or furious, enthusiastic, spasmodic, or dithyrambic prose; but we cannot call it poetic, we cannot deny it the name of prose."

Of discussions similar to this there are several in the volume which tempt us aside; but it is necessary to come to the concluding chapters, which sketch the history of English prose, and, by the help of copious extracts, give a survey of the whole field. Mr. Earle opposes Arnold to a certain extent by combating the latter's doctrine that our prose is the creation of the eighteenth century and owes something to France. Our prose, says Mr. Earle, dates from earlier than the eighth century, and had two periods of culmination before the one mentioned. The first was in the tenth century, when a prose was attained that was the possession of the learned and cultured class, as Latin was, and which had such attraction that for three centuries it was remembered and imitated. The Norman conquest overwhelmed it, and substituted French for Latin models, while it performed the great service to our tongue of thrusting English down to be the popular language for four centuries of obscurity. When English was again written, it had become a people's language and was never to be the possession of a caste. In this, Mr. Earle, observes, English had the same fortune as classic Greek, and alone of languages was so favored:

"The English prose to which we have now attained at the close of the fifteenth century was the most popular vehicle of communication among men that was ever produced upon so extensive an area. This broad quality of popularity is one that Latin never possessed, least of all in its golden age—and indeed there is but one example either in the ancient or in the modern world that can be compared with it. Greek prose from Herodotus to Demosthenes had this quality of popularity: Greek literature grew up encircled by the sympathies of the body of the people and identified with great popular assemblies."

The special way in which this union of English in books with that in the mouths of men was brought about was, of course, the Bible translations and the Prayer Book, in which, as we now have them, there is embodied a century of English diction. In connection with this, Mr. Earle speaks of the different fortune of Luther's Bible, which was the work of an individual who endeavored to make his usage the common language. He succeeded in making his dialect the literary form of the writers, but not the cast of his diction. German diction is still Chancery diction, and in consequence of this only partial success of Luther's Bible the literary language in Germany has never been the national tongue. It belongs, like our tenth-century English, to a class. The danger which every language encounters of becoming a scholar's tongue, was met with in the Euphuistic movement and more markedly in the Latinizing period of Hooker and his fellows, who endeavored to use the period to an extent which English does not allow of, and the attempt outlasted Hooker. From this development, which really threatened English literature, Mr. Earle thinks we were saved by the journalistic and easy-writing authors, of whom Roger L'Estrange was the pioneer and De Foe the most memorable. This service of continually drawing English back from conventional and learned or cultivated forms to the spoken word of the common people is still mainly performed, Mr. Earle seems to think, by journalism, for the diction of which he has an unusual respect, though it should be said that he seems to have in mind the leading articles of the London dailies when he speaks of journalism. Our present usage is attributed by him to Dr. Johnson, whom he thinks the greatest master of the language, and on whose sentences he declares the authors of this century have really formed, consciously or not, their structure. Dr. Johnson marks the third culmination of our prose, therefore, as its history is here told. In these three climaxes, the tenth, fifteenth, and eighteenth centuries, we have a treasury for the replenishment of our vocabulary and phrase structure incomparably beyond anything that other modern nations possess; and Mr. Earle ends his work with an appeal for a wider study of the older language and appreciation of the excellence of its literature in style. It is only a few years ago that we discovered to our surprise how well Wycliffe wrote, he says; and the lesson ought not to be lost upon us.

In the foregoing exposition we have done but scanty justice to the interest and especially the suggestiveness of this work, and now have space only to add that, apart from the grammatical, the reflective, and the historical portions of the volume, we have only praise for the direct advice given to the young writer. The author does not tell him to use monosyllables, or Saxon words, or short sentences; and that is something to be thankful for. The vocabulary of the fifteenth-century English is the best, and must be the ground of any style, and its Romanic elements form a large part of its dignity and charm as well as of its force, naturalness, and reality; the number of syllables is a matter of utter indifference; and as to the length of the sentence, variety requires sentences of all lengths, of direct and inverted construction, of relative and disjunctive forms, of groups of adjectives of all numbers, and so on. Any advice which involves a young writer's cutting himself off from any part of the resources of the language, whether in vocabulary or construction, is bad advice. It may take time for him to learn how to manage his wealth, but he cannot spare any of it in the long run. Mr. Earle's freedom from the pettiness of rhetoricians' rules and their solemn maxims of perfection is refreshing; his judgment is governed by good sense; he has no traditions, and does not find it needful to quote Campbell and Blair. He has put that behind him, if he ever regarded it; and the tyro will profit if he can do the same and follow the hints that so good a student of prose as Mr. Earle is will give him.

The Exempla of Jacques de Vitry. Edited by Thomas Frederick Crane, M.A., Professor of the Romance Languages in Cornell University. London: Published for the Folk-Lore Society by David Nutt. 1890.

Jacques de Vitry, preacher of the crusade against the Albigenses, afterwards Bishop of Acre, and active in the Sixth Crusade, was one of the most eminent preachers of the first half of the thirteenth century. Not the least of the qualities which led to his popularity was his employment of various sorts of stories, designed to illustrate his subject and to lead up to the moral which he wished to draw. The numerous *Sermones Vulgares* which he left behind contain a great stock of these stories, called *exempla*, whose attractive character led to a demand for separate collections of them, for the use of later preachers. A number of such collections now exist, many of them, indeed, containing *exempla* that were never used by De Vitry at all, but which were for centuries attributed to him. It was not until 1868 that it was shown that the real *exempla* were to be found in the *Sermones Vulgares*, from which they had been gathered by different hands into collections of various degrees of merit. Although other scholars have published selections from the *exempla*, we believe that we owe to Prof. Crane the first complete edition, based on a careful study of the MSS. of the *Sermones*, and of the *Exempla* themselves. He gives us a sketch of the author's life, and an account of his works and the MSS. which contain them, followed by an essay on the use of *exempla* by mediæval preachers, including the 'Gesta Romanorum' and the 'Scala Celi.' Then come the 315 *exempla* of De Vitry in the original Latin of the period. Finally, we have an analysis of each story, with an account of the later ver-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sions in which it is found, and, as far as possible, of the sources in which it occurs. For we have to deal here, not with parables invented by De Vitry himself, but generally with popular tales, many of them very old and probably familiar enough to the audiences whom they were intended to interest and amuse. They were drawn from all sorts of sources, indirectly of course, even as far back as the Æsopian, and hence their attraction for the Folk Lore Society. They are of a very varied nature, and after reading some of them we are not surprised to learn that it was sometimes found necessary to check a tendency to go beyond bounds with stories unsuited to the sanctity of the occasion. But not all were of this dubious character. Miracles, possessions of devils, wonderful cures, apparitions of saints, fables of birds, beasts, and men, follow hard on each other in constantly changing array.

Prof. Crane has excellently done his editorial work, and the book throughout gives evidence of scholarly research and careful criticism. We have only to suggest an earlier source than St. Ambrose for the fable about the stork cared for in its old age by its young; it is found in Solinus, Pliny, and Aristotle. We conclude this notice with one of the shortest but not the least witty of the *exempla* (No. 162):

"Audivi de quodam carnifice qui carnes coctas vendere consueverat, cum quidam, ut melius forum haberet, diceret ei: 'Jam sunt vii anni quod ab alio carnes non comparavi a vobis.' Ille valde admirans respondit: 'Tanto tempore hoc fecisti et adhuc vivis?'"

In the words found at the end of some of the *exempla*, "Moraliza sicut vis." For our own part it is a sort of negative consolation to find that butchers were a proud and haughty race even in the days of yore.

Our Early Presidents, and their Wives and Children, from Washington to Jackson. By Mrs. Harriet Taylor Upton. Illustrated. Boston: D. Lothrop Co.

THIS is a "gift book," showy on the outside and profusely illustrated within. It aims to give the home life of our first seven Presidents, who, the author tells us, are known as the "historic Presidents." It is a work of considerable research, the family treasures in the way of correspondence, portraits, jewels, and other heirlooms having been freely drawn upon, thanks to what the author acknowledges to be a most generous unreserve on the part of the representatives of the Presidents, in laying open their most delicate stores. The story of the families is told with considerable minuteness and an obvious interest in every personal detail. There is an abundant flow of kind feeling on the part of the author to every mortal person, child or servant, at all connected with the Presidential families. And this runs into an absolute affectation of intimacy in the style, as if she had been a constant guest at Mount Vernon, Quincy, Monticello, and the rest. Every child has the adjective "little" prefixed to its name, and abundant speculations are introduced as to what Charles Adams or Payne Todd was doing and thinking on given occasions. The various members of the seven families, whether serious or playful, are so uniformly charming and delightful that one cannot help feeling glad the book did not appear when Thackeray was alive, for he would surely have found material in it for a *Round-Table* paper on "The Court Circular in a Republic." This kind of baby-talk is much to be regretted, for it weakens a book which otherwise appears to be thorough, authentic, and useful, both for the reading matter and the illustrations.

One or two mistakes occur, mostly slight, but disfiguring. The Adams family at home were Congregationalists, not Presbyterians (p. 313). John Quincy Adams was elected by the House of Representatives, not the Senate (p. 365). Van Rensselaer and Breckinridge should not appear in disguise as Van Renssalaer (p. 321) and Breckenridge (p. 382). Queen Hortense looks absurd as "Hortèase" (p. 276). And be it said for the benefit of other writers than Mrs. Upton, there is no such word in English as "Madame" (p. 130); "Madam" is the spelling of all the great classical writers in our language. 'Rollins' History' (p. 94) will hardly be found in any library. Such mistakes might easily be corrected if a second edition were called for.

Insecta. [Boston Society of Natural History. Guides for Science-Teaching, No. VIII.] By Alpheus Hyatt and J. M. Arms. Boston: D. C. Heath & Co.

"THIS Guide," its authors say, "is a series of replies to questions which have arisen in the minds of its authors while teaching." By following out this idea, a very useful little book has been produced, which, while presenting nothing original, yet does present in a very compact way the elementary principles of insect anatomy, physiology, and classification. An excellent "synopsis" precedes the text and outlines the matter contained in each chapter. The characters common to insects, anatomical and physiological, are first given, and then each order is separately taken up and considered, beginning with the *Thysanura* and ending with the *Diptera*. Sixteen orders are recognized and popularly characterized, some of them very briefly indeed. This is essentially a handbook for teachers, especially valuable to such as have to impart an elementary knowledge of the subject. Not the least part of its advantages consists in the numerous references to publications in which the points brought out can be more fully studied. In a compilation of this kind, of course, each order is treated by itself, and there is no attempt at homologizing parts, or at attaining a uniformity of nomenclature in all orders. The plates usually illustrate the prominent structural characters of an order.

BOOKS OF THE WEEK.

Austin, Alfred. The Tower of Babel: A Celestial Love-Drama. Macmillan & Co. $1.75.
Bartholomew, J. G. Physical and Political School Atlas. Macmillan & Co. $3.
Bond, Rev. J. The Gospel According to St. Luke. The Greek Text Revised. Macmillan & Co. 65 cents.
Concise Whist. Salem: The Salem Press Publishing and Printing Co. 75 cents.
Corner, W. San Antonio de Bezar. San Antonio, Tex.: Bainbridge & Corner.
Crawford, Rebekah. Musicians in Rhyme. G. Schirmer.
Deighton, K. The Life and Death of King John. Macmillan & Co. 40 cents.
Dreyer, J. L. E. Tycho Brahe. Macmillan & Co. $3.50.
Floyd, Isobel H. Stolen America. Cassell Publishing Co.
Fouard, Abbé C. The Christ the Son of God. 2 vols. Longmans, Green & Co.
Fuller, Lieut. A. M. A. D. 2000. Chicago: Laird & Lee.
Golden, W. E. History of the English Drama. Welch, Fracker Co.
Griffis, Rev. W. E. Honda the Samurai. Boston: Congregational Sunday-School and Publishing Society.
Kelsey, Dr. F. W. Selections from Ovid. Boston: Allyn & Bacon. $1.25.
Littell's Living Age. Vol. 72. Boston: Littell & Co.
Memorabilia of Rev. Dr. Cheever and Mrs. E. W. Cheever. John Wiley & Sons.
Osborne, S. M. A Country Boy's Centennial and "Little Buttons." Belford Co.
Pollock, Sir F. Oxford Lectures. Macmillan & Co. $2.50.
Rawnsley, H. D. Poems, Ballads and Bucolics. Macmillan & Co. $1.75.
Reinach, S. Peintures de Vases Antiques. Paris: Firman-Didot & Cie.
Shaw, G. B. Fabian Essays in Socialism. London: Walter Scott. 40 cents.

JUST READY:

Taine's 'Modern Regime.'

By H. A. TAINE. Translated by John Durand. Vol. I. 12mo, $2.50.

The New York *Times* says: This volume "opens with a remarkable study of Napoleon Bonaparte. It is a careful, thorough analysis of his character, and presents him more impartially and comprehensively than any previous writer has done. . . . So trenchant and critical a review and survey of past and present as this volume constitutes has not seen the light for many a day."

Henry Holt & Company,
NEW YORK.

Letters of Credit. We buy and sell bills of exchange on and make cable transfers of money to Europe, Australia, and the West Indies, also make collections and issue Commercial and Travellers' Credits, available in all parts of the world.

Brown Brothers & Co., Bankers,
NO. 59 WALL STREET, NEW YORK.

RARE AND STANDARD SECOND-hand Books. Books purchased for cash. Catalogues issued. E. W. JOHNSON, 1336 B'way, N. Y. City.

FORTNIGHTLY REVIEW.—ORIGI-nal Edition. $4.50 per year. LEONARD SCOTT PUB. Co., 29 Park Row, New York.

Seashore Lands.

ON THE MAINE COAST AND OTHER PARTS OF THE NEW ENGLAND SHORE. Having made a specialty of these lands for over ten years, I act as agent for purchase and sale. A number of beautiful shore, island, and peninsula properties on Penobscot Bay, on the "Camden Shore," at "Islesboro," the Fox Islands, and the other principal points now being rapidly developed. These lands generally range in acreage from parcels of 10 acres to 300 acres, have beautiful rocks, trees, beaches, and harbors, and comprise some of the few remaining tracts now purchasable at prices approximating farm values, and offer variously some of the best opportunities for gentlemen wishing independent estates for summer occupancy or for investment. For details, circulars, photographs, and particulars address

J. Murray Howe, 27 School St., Boston, Mass.

Foreign Books, Subscription to foreign periodicals; Tauchnitz British Authors. Catalogues on application. CARL SCHOENHOF, 144 Tremont St., Boston.

Coast of Maine.

CAPE ROSIER.

The lands of the "Cape Rosier Associates" on Penobscot Bay, 50 miles nearer Boston and the West than Bar Harbor, Mt. Desert, are offered for sale in parcels of five and ten acres and upwards. These lands comprise over ten miles of almost continuous shore-frontage in one of the boldest and most beautiful sections on the coast, twelve hours' journey from Boston. They front upon fine harbors, have beautiful rocky shores, beaches, woods, and mountain views. The drives along the shores and among the hills are very varied and beautiful. New wharves have been built, and new connections with daily trains and steamboats established. In these lands is offered an exceptional opportunity to purchase for very small sums fine and perfectly protected seashore estates. The lands will not be sold for speculation or in small lots.

ALFRED BOWDITCH,
HENRY PARKMAN,
J. MURRAY HOWE, } Trustees,
27 School Street, Boston, Mass.

BACK NUMBERS, VOLUMES, OR sets of leading and scarce magazines, etc., for sale by H. WILLIAMS, 195 West 10th St., N. Y.

LICENSED TO UNZ-ORG
ELECTRONIC REPRODUCTION PROHIBITED